

STATE OF UTAH
SENATE JOURNAL
2003 GENERAL SESSION
of the
FIFTY-FIFTH LEGISLATURE
FIRST DAY
MORNING SESSION

Pursuant to the provisions of the Constitution of the State of Utah, the Senators of the Fifty-Fifth Legislature of the State of Utah convened in General Session in the Senate Chamber on Monday, January 20, 2003 at ten o'clock a.m.

The Senate was called to order at 10:00 a.m., with The Honorable Dee Benson, Chief Judge, U. S. District Court for the Utah District presiding.

PRAYER BY ELDER NEAL A. MAXWELL,
QUORUM OF TWELVE APOSTLES,
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
POSTING OF COLORS & PLEDGE OF ALLEGIANCE

Utah National Guard

Pledge of Allegiance - Mayor Tom Dolan of Sandy City

SPECIAL MUSICAL PRESENTATION

The Alta High School Madrigals, directed by Stephen Simmons, performed "America" and "One Who Stands Alone."

On motion of Senator Michael Waddoups, the Senate thanked Elder Maxwell for delivering the invocation.

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Annette B. Moore read the following Certification of Membership for the 2003 General Session of the Utah State Senate:

CERTIFICATE OF MEMBERSHIP OF THE 2003
GENERAL SESSION
OF THE UTAH STATE SENATE
55TH LEGISLATURE

I, OLENE S. WALKER, Lieutenant Governor of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday,

November 5, 2002, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 1, 2003, to wit:

FIRST DISTRICT: County of Salt Lake

James Evans

SECOND DISTRICT: County of Salt Lake

Paula Julander

THIRD DISTRICT: County of Salt Lake

Gene Davis

FOURTH DISTRICT: County of Salt Lake

Patrice Arent

FIFTH DISTRICT: County of Salt Lake

Ed Mayne

SEVENTH DISTRICT: County of Salt Lake

Karen Hale

NINTH DISTRICT: County of Salt Lake

L. Alma “Al” Mansell

ELEVENTH DISTRICT: Counties of Salt Lake, Utah

Howard Stephenson

TWELFTH DISTRICT: County of Salt Lake, Tooele

Ron Allen

FIFTEENTH DISTRICT: County of Utah

Parley G. Hellewell

SEVENTEENTH DISTRICT: Counties of Box Elder, Cache, Tooele

Peter C. Knudson

EIGHTEENTH DISTRICT: Counties of Davis, Weber

David L. Thomas

TWENTY-FIRST DISTRICT: Counties of Davis

David H. Steele

TWENTY-SECOND DISTRICT: Counties of Davis

Gregory Bell

TWENTY-SIXTH: Counties of Daggett, Duchesne, Summit, Uintah, Wasatch

Beverly Evans

TWENTY-EIGHTH: Counties of Beaver, Garfield, Iron, Kane,
Millard, Washington

Thomas Hatch

I FURTHER CERTIFY that at a General Election held within and for the State of Utah on Tuesday, November 7, 2000, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the

Senate, each for the term of four years, beginning January 1, 2001, to wit:

SIXTH DISTRICT: County of Salt Lake

Michael G. Waddoups

EIGHTH DISTRICT: County of Salt Lake

Carlene M. Walker

TENTH DISTRICT: Counties of Salt Lake

D. Chris Buttars

THIRTEENTH DISTRICT: County of Utah, Tooele

Bill Wright

FOURTEENTH DISTRICT: County of Utah

John L. Valentine

SIXTEENTH DISTRICT: County of Utah

Curtis S. Bramble

NINETEENTH DISTRICT: County of Morgan, Summit, Weber

David L. Gladwell

TWENTIETH DISTRICT: County of Weber

Scott K. Jenkins

TWENTY-THIRD DISTRICT: Counties of Davis

Dan R. Eastman

TWENTY-FOURTH DISTRICT: County of Juab, Piute, Sanpete,
Sevier, Tooele, Wayne

Leonard M. Blackham

TWENTY-FIFTH DISTRICT: Counties of Cache, Rich

Lyle W. Hillyard

TWENTY-SEVENTH DISTRICT: County of Carbon, Emery,
Grand, San Juan, Utah

Mike Dmitrich

TWENTY-NINTH DISTRICT: County of Washington

John W. (Bill) Hickman

IN WITNESS WHEREOF, I
have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah at Salt
Lake City, this Twentieth day of
January, 2003.

OLENE S. WALKER
Lieutenant Governor

Communication filed.

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The Honorable Chief Judge Dee Benson administered the Oath of Office to all reelected and newly elected and appointed members of the Senate for the Fifty-Fifth Legislature.

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Roll Call - All Senators present

On motion of Senator Michael Waddoups, the Senate voted to proceed with its organization and elect its president.

The Honorable Chief Judge Dee Benson declared nominations for the office of President of the Senate were in order.

On motion of Senator Michael Waddoups and seconded by Senator Mike Dmitrich, Senator Al Mansell was nominated to serve as the President of the Utah State Senate for the Fifty-Fifth Legislature.

On motion of Senator Michael Waddoups, and seconded by Ron Allen the nominations were closed and Senator Al Mansell was elected President of the Senate by acclamation. Senators Michael Waddoups, John Valentine, and Mike Dmitrich escorted President Mansell to the podium.

The Honorable Chief Judge Dee Benson administered the Oath of Office to the President of the Senate, Al Mansell.

On motion of Senator Michael Waddoups, the Senate expressed appreciation to the Honorable Chief Judge Dee Benson for taking time from his busy schedule to participate in the opening of the Utah State Senate.

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On motion of Senator Waddoups, President Mansell directed that the following be recorded in the Senate Journal as leaders for the 55th Legislature 2003 General Session:

President - L. Alma "Al" Mansell
Majority Leader - Michael G. Waddoups
Majority Whip - John L. Valentine
Asst. Majority Whip - Peter C. Knudson
Minority Leader - Mike Dmitrich
Minority Whip - Ron Allen
Asst. Minority Whip - Gene Davis

On motion of Senator Lyle Hillyard, the Senate voted to approve the Senate leadership.

President Mansell appointed a Senate Rules Committee comprised of Senator Lyle Hillyard, Chairman, and Senators Curtis Bramble, Chris Buttars, David Gladwell, Parley Hellewell, Scott Jenkins, Michael Waddoups, Gene Davis, and Ed Mayne to formulate the Senate Rules and work with the House of Representatives in formulating Joint Rules.

President Mansell appointed Senator Beverly Evans as the Committee Chair to serve Patronage and Employees.

On motion of Senator Lyle Hillyard, the Senate Rules and the Joint Rules of the 2002 General Session for the Fifty-Fourth Legislature were adopted with the understanding that changes to these rules for the Fifty-Fifth Legislature will be considered and adopted as soon as possible.

President Mansell appointed Senators Curtis Bramble, Parley Hellewell, and Paula Julander as a committee to notify the House of Representatives that the Senate is organized and ready to do business.

President Mansell appointed Senators Thomas Hatch, Greg Bell, and Patrice Arent as a committee to notify Governor Michael O. Leavitt that the Senate is organized for the 2003 General Session of the Fifty-Fifth Legislature and ready to do business.

Representatives Johnson, Hutchings, and Hansen formally notified the Senate that the House is organized and ready to do business.

Senator Bramble, chairman of the Committee to Notify the House, reported the House has been notified that the Senate is organized and ready to do business.

Senator Hatch, Chairman of the Committee to Notify the Governor, reported that His Excellency, Governor Michael O. Leavitt has been notified that the Senate is organized and ready to do business.

On motion of Senator Hillyard, and as provided by the Utah Constitution and Joint Rules of the Legislature, the Senate voted to suspend the reading of the titles of all bills and resolutions on the Senate calendar as they are read for the first time and introduced, and considered on Second Reading, Third Reading, Consent, and Concurrence Calendars. The motion is to apply to all bills and resolutions introduced during this legislative session, except that any Senator may request the reading of the long title, short title, or both of any House or Senate bill or resolution.

At the direction of President Mansell, information and membership concerning the following committees are to be officially recorded in the Senate Journal:

STANDING COMMITTEES**Business and Labor**

Parley Hellewell, *Chair*

Curtis S. Bramble

Dan Eastman

Thomas Hatch

Michael Waddoups

Carlene Walker

Gene Davis

Ed Mayne

Education

Bill Wright, *Chair*

D. Chris Buttars

David L. Gladwell

David H. Steele

Howard A. Stephenson

John Valentine

Karen Hale

Patrice Arent

Natural Resources, Agriculture and Environment

Beverly Ann Evans, *Chair*

Leonard M. Blackham

Thomas Hatch

Parley Hellewell

Scott Jenkins

Bill Wright

Gene Davis

Paula Julander

Health and Human Services

James Evans, *Chair*

Leonard Blackham

Beverly Evans

Scott Jenkins

Peter Knudson

David Thomas

Paula Julander

Ron Allen

**Workforce Services and Community
and Economic Development**David Thomas, *Chair*

Thomas Hatch

Lyle Hillyard

Scott Jenkins

David Steele

John Valentine

Paula Julander

Ed Mayne

**Judiciary, Law Enforcement and
Criminal Justice**Gregory Bell, *Chair*

Chris Buttars

James Evans

David Gladwell

Lyle Hillyard

Al Mansell

Mike Dmitrich

Patrice Arent

Revenue and TaxationCurtis S. Bramble, *Chair*

Gregory Bell

Leonard Blackham

David Gladwell

Howard Stephenson

Michael Waddoups

Mike Dmitrich

Ron Allen

**Government Operations and
Political Subdivisions**Carlene M. Walker, *Chair*

Dan Eastman

Beverly Evans

Bill Hickman

Peter Knudson

Karen Hale

Patrice Arent

**Transportation and Public Utilities and
Technology**

David H. Steele, *Chair*
Dan Eastman
Bill Hickman
Peter Knudson
Howard Stephenson
Carlene Walker
Karen Hale
Ed Mayne

Quasi- Government Entities

John Valentine, *Chair*
Beverly Evans
Carlene Walker
Ron Allen
Paula Julander

**EXECUTIVE APPROPRIATIONS AND
JOINT APPROPRIATIONS SUBCOMMITTEES**

Sen. Leonard M. Blackham, *Chair*
Sen. Bill Hickman, *Vice Chair*
Sen. Al Mansell
Sen. Michael G. Waddoups
Sen. John L. Valentine
Sen. Peter C. Knudson
Sen. Mike Dmitrich
Sen. Ron Allen
Sen. Gene Davis
Sen. Karen Hale

Capital Facilities and Administrative Services

Beverly Evans, *Co Chair*
Greg Bell
Mike Dmitrich

Commerce and Revenue

Scott Jenkins, *Co Chair*
Leonard Blackham

John Valentine
Ed Mayne

Economic Development and Human Resources

Carlene Walker, *Co Chair*
Curtis Bramble
Al Mansell
Gene Davis

Executive Offices and Criminal Justice

Chris Buttars, *Co Chair*
Michael Waddoups
Patrice Arent

Health and Human Services

David H. Steele *Co Chair*
Leonard Blackham
Paula Julander

Higher Education

David Gladwell, *Co Chair*
Bill Hickman
Peter Knudson
Ron Allen

Natural Resources

Tom Hatch, *Co Chair*
Parley Hellewell
Ron Allen

Public Education

Howard Stephenson, *Co Chair*
James Evans
Lyle Hillyard
Bill Wright
Karen Hale

Transportation, Environmental Quality and National Guard

Dan Eastman, *Co Chair*

Dave Thomas

Michael Waddoups

Mike Dmitrich

On motion of Senator B. Evans, the Senate voted to adopt the following committee report and employ the persons recommended by Senate Evans

EMPLOYEE COMMITTEE REPORT

Senator Evans introduced the Senate Staff.

Mr President and members of the Senate:

As Chair of the Committee on Patronage and Employees, I recommend that these individuals be employed as Senate Staff for the 2003 General Session of the Fifty- Fifty Legislature:

Annette B. Moore	Secretary of the Senate
Sandy D. Tenney	Manager of Senate Services
Leslie O. McLean	Administrative Asst.
Janeen M. Melchior	Minority Administrative Assistant
Lynette Erickson	Docket Clerk
Greg Johnson	System Analyst Computer Specialist
Eric Isom	Majority Administrative Assistant
Rolayne Day	Secretarial Supervisor
Mary Andrus	Journal Clerk
Sharon Johnson	Rules Secretary
Saundra Maeser	Committee & Amending Secretary
Bonnie Brinton	Committee Secretary
Nadine Woodhead	Committee Secretary
Karen Allred	Committee Secretary
Nedra Duzett	Committee Secretary (1/2 time)
Norda Shepard	Committee Secretary
Jeanne Wride	Committee Secretary
Kathy Alldredge	Aide to Secretary of Senate
Robert L. Gardner	Sergeant At Arms
Leo Parry	Asst. Sergeant At Arms
Thomas R. Shepherd	Security
Virgil Blair	Security
Roger Winslow	Security
Glenn Hildebrand	Security

Wendell Coombs	Security
Paul Jacobs	Security 268- 2360
Tony Mascaro	Security
Cliff Park	Security
Gayle C. Petersen	Page Supervisor
Shirley C. Taylor	Asst. Page Supervisor
Diane Lloyd	Page
Linda Cornaby	Page
Jacque Frei	Page
Christine Hunter	Page
Judy Paulson	Page
Mary L. Russell	Page
Dianne Richards	Page
Kathy Fotheringham	Page
Georgianna Knudson	Docket Clerk Aide (1/2 time)
Katrina Yarrington	Public Address/System Operator
Paula Tew	Legislative & Third House Aide
Evoline Gardner	Hostess and 3rd House Aide
Charlene T. Reed	Public Information Officer
Rebecca Rawson	Public Information Officer
Darlene D. Nilson	Public Information Officer
Pamela H. Benson	Legislative Tour Guide

INTRODUCTION OF INTERNS

Andrus, Amber
 Boardman, Casey
 Burbidge, Emilee
 Butler, Britney
 Campbell, Ian
 Dance, Tim
 Ellis, Jacob
 Ethington, Todd
 Grygla, Erin
 Hansen, Seth
 Hinton, Rachel
 Izatt, Hilary
 Karren, Lynette
 Melville, Matt
 Nay, Ashlee
 Petersen, Ryan

Prince, Cynthia
Risbon, Megan
Whittaker, Bryce

INTRODUCTION OF BILLS

CLEAN SPECIAL FUEL TAX CERTIFICATE - EXEMPTION

S.B. 4

David H. Steele

THIS ACT MODIFIES THE REVENUE AND TAXATION CODE BY CLARIFYING THAT GOVERNMENT VEHICLES ARE EXEMPT FROM PURCHASING THE CLEAN SPECIAL FUEL TAX CERTIFICATE. THIS ACT MAKES TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

RETIREMENT AND INDEPENDENT ENTITIES COMMITTEE AMENDMENTS

S.B. 5

Beverly Ann Evans

THIS ACT MODIFIES THE INDEPENDENT ENTITIES CODE BY CHANGING THE NAME OF THE LEGISLATIVE QUASI-GOVERNMENTAL ENTITIES COMMITTEE AND THE LEGISLATIVE INDEPENDENT ENTITIES COMMITTEE TO THE RETIREMENT AND INDEPENDENT ENTITIES COMMITTEE. THIS ACT REPEALS THE QUASI-GOVERNMENTAL ENTITIES ACT WHICH WAS REPLACED BY THE INDEPENDENT ENTITIES ACT THAT BECAME EFFECTIVE ON JULY 1, 2002, was read for the first time and referred to the Rules Committee.

RETAILER REQUIREMENTS IN PRINTING FINANCIAL TRANSACTION CARD RECEIPT

S.B. 6

Carlene M. Walker

THIS ACT MODIFIES THE COMMERCE AND TRADE CODE BY ENACTING PROVISIONS PROHIBITING A PERSON FROM PRINTING MORE THAN THE LAST FIVE DIGITS OF A FINANCIAL TRANSACTION CARD ACCOUNT NUMBER OR THE EXPIRATION DATE ON A FINANCIAL TRANSACTION CARD RECEIPT. THIS ACT TAKES EFFECT ON JANUARY 1, 2004, was read for the first time and referred to the Rules Committee.

AUTOMOBILE HOMICIDE AMENDMENTS**S.B. 7***Carlene M. Walker*

THIS ACT MODIFIES THE CRIMINAL CODE BY STATING THAT ONE OF THE ELEMENTS OF THE OFFENSE OF AUTOMOBILE HOMICIDE MAY BE THAT THE OPERATOR HAS A MEASURABLE AMOUNT OF SCHEDULE I OR II CONTROLLED SUBSTANCES IN THE BODY. THIS ACT ALSO PROVIDES AN AFFIRMATIVE DEFENSE IF THE CONTROLLED SUBSTANCE WAS INVOLUNTARILY INGESTED OR WAS BEING TAKEN PURSUANT TO A PRESCRIPTION, was read for the first time and referred to the Rules Committee.

SENTENCING IN CAPITAL CASES AMENDMENTS**S.B. 8***David L. Gladwell*

THIS ACT MODIFIES THE CRIMINAL CODE BY PROVIDING THAT PERSONS FOUND BY THE COURT TO BE MENTALLY RETARDED ARE NOT SUBJECT TO THE DEATH PENALTY. THIS ACT DEFINES MENTAL RETARDATION AS APPLICABLE TO DEATH PENALTY CASES. THIS ACT SPECIFIES PROCEDURES FOR THE EXAMINATION OF DEFENDANTS ALLEGING MENTAL RETARDATION AND PROCEDURES FOR THE JUDICIAL HEARING TO DETERMINE MENTAL RETARDATION. THIS ACT IS IN RESPONSE TO THE RECENT U.S. SUPREME COURT CASE ATKINS V. VIRGINIA WHICH PROHIBITS EXECUTION OF THE MENTALLY RETARDED. THIS ACT ALSO PROVIDES THAT DEFENDANTS WITH SPECIFIED SUBAVERAGE FUNCTIONING ARE NOT SUBJECT TO THE DEATH PENALTY IF THE DEFENDANT'S CONFESSION IS NOT SUBSTANTIALLY CORROBORATED. THIS ACT HAS AN IMMEDIATE EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS**S.B. 9***Gene Davis*

THIS ACT MODIFIES THE COMPREHENSIVE HEALTH INSURANCE POOL ACT. THE ACT AMENDS DEFINITIONS. THE ACT AMENDS THE NUMBER OF BOARD MEMBERS REQUIRED FOR A QUORUM, THE POWERS OF THE BOARD, AND THE DUTIES OF THE POOL ADMINISTRATOR. THE ACT AMENDS ELIGIBILITY FOR THE POOL AND THE APPLICATION OF PREEXISTING CONDITIONS IN ORDER TO

BE IN COMPLIANCE WITH FEDERAL LAW AND TO INCORPORATE PROVISIONS OF THE PRIMARY CARE NETWORK WAIVER FOR THE STATE MEDICAID PROGRAM. THE ACT AMENDS PROVISIONS RELATED TO COPAYS, DEDUCTIBLES, AND CANCELLATIONS OF COVERAGE. THE ACT AMENDS THE FREQUENCY WITH WHICH PREMIUMS MAY BE ADJUSTED. THE ACT AMENDS BENEFIT REDUCTION AND IMMUNITY PROVISIONS. THE ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

PRENEED FUNERAL ARRANGEMENT AMENDMENTS

S.B. 10

Patrice M. Arent

THIS ACT MODIFIES THE PRENEED FUNERAL ARRANGEMENT ACT BY REQUIRING PRENEED CONTRACTS TO PROVIDE THE BUYER WITH THE OPTION TO FURNISH A DISCLOSURE OF THE PRENEED CONTRACT TO ANOTHER PERSON, was read for the first time and referred to the Rules Committee.

CHILD CARE AMENDMENTS

S.B. 11

Beverly Ann Evans

THIS ACT MODIFIES PROVISIONS RELATED TO CHILD CARE IN UTAH. THE ACT MODIFIES DEFINITIONS RELATED TO PROVIDING CHILD CARE SERVICES. IT MODIFIES THE FUNCTIONS AND DUTIES OF THE OFFICE OF CHILD CARE AND REQUIRES AN ANNUAL REPORT BY THE OFFICE ON THE STATUS OF CHILD CARE IN THE STATE. THE ACT INCREASES THE MEMBERSHIP OF THE CHILD CARE ADVISORY COMMITTEE AND PROVIDES SPECIFIC RESPONSIBILITIES FOR THE COMMITTEE. THE ACT MODIFIES THE ROLES AND RELATIONSHIPS OF INDIVIDUALS AND ENTITIES WHO HAVE STATUTORY RESPONSIBILITIES RELATED TO THE CHILD CARE EXPENDABLE TRUST FUND AND MAKES CERTAIN TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

INDUSTRIAL ASSISTANCE FUND AMENDMENTS

S.B. 12

Beverly Ann Evans

THIS ACT MODIFIES THE QUALIFICATIONS FOR APPLICANTS TO RECEIVE FINANCIAL ASSISTANCE FROM THE INDUSTRIAL ASSISTANCE FUND, INCLUDING APPLICANT COMPANIES CREATING

AN ECONOMIC IMPEDIMENT. THIS ACT PROVIDES FOR GRANTS TO BE MADE FROM THE FUND, REQUIRES AGREEMENTS WITH SPECIFIC TERMS AND CONDITIONS BETWEEN THE ADMINISTRATOR OF THE FUND AND SUCCESSFUL APPLICANTS, AND MAKES CERTAIN TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

DUI PLEA RESTRICTIONS

S.B. 13

D. Chris Buttars

THIS ACT MODIFIES THE MOTOR VEHICLE CODE BY PROVIDING RESTRICTIONS ON WHEN A COURT CAN ACCEPT A PLEA OF GUILTY OR NO CONTEST IN A DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS CASE. THIS ACT REQUIRES THAT A COURT RECEIVE VERIFICATION THAT THE PROSECUTOR AGREES TO THE PLEA, THE PROSECUTOR FILES A CRIMINAL INFORMATION, OR THE COURT RECEIVES VERIFICATION OF NO PRIOR OFFENSES FROM A LAW ENFORCEMENT AGENCY, was read for the first time and referred to the Rules Committee.

GOVERNOR'S OFFICE OF PLANNING AND BUDGET RECODIFICATION AND REVISIONS

S.B. 14

Ron Allen

THIS ACT MODIFIES UTAH CODE PROVISIONS GOVERNING THE STATE BUDGET OFFICE AND OFFICER AND THE STATE PLANNING COORDINATOR. THIS ACT RECODIFIES THOSE SECTIONS TO CREATE THE GOVERNOR'S OFFICE OF PLANNING AND BUDGET. THIS ACT MAKES TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

WORKFORCE SERVICES AMENDMENTS

S.B. 15

Scott K. Jenkins

THIS ACT MODIFIES PROVISIONS RELATED TO THE EMPLOYMENT SECURITY ACT BY REMOVING THE PART-TIME EMPLOYEE LIMITATION ON THE CHAIR OF THE WORKFORCE APPEALS BOARD. THE ACT MODIFIES THE DEFINITION OF EMPLOYER TO BE CONSISTENT WITH STATE AND FEDERAL WITHHOLDING REQUIREMENTS AND ALSO MAKES CERTAIN TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

MASTER STATE HIGHWAYS AMENDMENTS**S.B. 16***David H. Steele*

THIS ACT MODIFIES THE TRANSPORTATION CODE BY DELETING SR-223 THE SPORTS PARK ROAD AND THE BEAR HOLLOW ROAD FROM THE STATE HIGHWAY SYSTEM, was read for the first time and referred to the Rules Committee.

**SALES AND USE TAX - EXEMPTION FOR SEMICONDUCTOR
FABRICATING OR PROCESSING MATERIALS****S.B. 17***Curtis S. Bramble*

THIS ACT AMENDS THE SALES AND USE TAX ACT TO EXTEND THROUGH JUNE 30, 2007 THE EXEMPTION FOR A SALE OR LEASE OF SEMICONDUCTOR FABRICATING OR PROCESSING MATERIALS, was read for the first time and referred to the Rules Committee.

**LIEUTENANT GOVERNOR CERTIFICATION OF SPECIAL
DISTRICT AND LOCAL DISTRICT ANNEXATIONS,
WITHDRAWALS, AND DISSOLUTIONS****S.B. 18***David L. Gladwell*

THIS ACT MODIFIES SPECIAL DISTRICT AND LOCAL DISTRICT PROVISIONS TO PROVIDE A PROCEDURE FOR LIEUTENANT GOVERNOR CERTIFICATION OF ANNEXATIONS, WITHDRAWALS, AND DISSOLUTIONS FOR CERTAIN SPECIAL DISTRICTS AND FOR LOCAL DISTRICTS. THE ACT REQUIRES THE APPROPRIATE LOCAL BODY TO SEND NOTICE OF THE ANNEXATION, WITHDRAWAL, OR DISSOLUTION TO THE LIEUTENANT GOVERNOR AND REQUIRES THE LIEUTENANT GOVERNOR TO ISSUE A CERTIFICATE OF ANNEXATION, WITHDRAWAL, OR DISSOLUTION AND TO SEND A COPY OF THE APPLICABLE CERTIFICATE TO SPECIFIED STATE AND LOCAL AGENCIES. THE ACT ALSO MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

VEHICLE HISTORY INFORMATION**S.B. 19***Dan R. Eastman*

THIS ACT MODIFIES THE MOTOR VEHICLE CODE BY ALLOWING THE DEPARTMENT OF PUBLIC SAFETY TO DISCLOSE VEHICLE

ACCIDENT HISTORY INFORMATION, EXCLUDING PERSONAL IDENTIFYING INFORMATION, IN BULK ELECTRONIC FORM, was read for the first time and referred to the Rules Committee.

FACILITATION OF E-GOVERNMENT

S.B. 20

David H. Steele

THIS ACT MODIFIES THE UNIFORM ELECTRONIC TRANSACTIONS ACT AND CONSTRUCTION STATUTES TO FACILITATE GOVERNMENT AGENCIES PROVIDING SERVICES ELECTRONICALLY AND TO MAKE TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

AMENDMENTS TO THE INTERLOCAL COOPERATION ACT

S.B. 21

Leonard M. Blackham

THIS ACT MODIFIES THE INTERLOCAL COOPERATION ACT INCLUDING MAKING TECHNICAL CHANGES. THE ACT ADDS DEFINITIONS AND MODIFIES PROVISIONS RELATED TO PROJECT ENTITY AND GENERATION OUTPUT REQUIREMENTS. FOR PURPOSES OF THE PAYMENT OF FEE IN LIEU OF AD VALOREM PROPERTY TAX, THIS ACT PROVIDES THAT A FEE BASE FOR A PROJECT CAN BE DETERMINED BY AGREEMENT. THIS ACT PROVIDES FOR VALUATION BY THE STATE TAX COMMISSION IF A FEE BASE IS NOT DETERMINED BY AN AGREEMENT, was read for the first time and referred to the Rules Committee.

TELECOMMUNICATIONS RELATED TAXES, FEES, AND CHARGES

S.B. 22

Curtis S. Bramble

THIS ACT MODIFIES THE SALES AND USE TAX ACT TO EXPAND WHAT TELEPHONE SERVICES ARE SUBJECT TO THE SALES AND USE TAX AND TO PROVIDE AN EXEMPTION FROM SALES AND USE TAXES UNDER SPECIFIED CIRCUMSTANCES FOR CERTAIN TELEPHONE SERVICES USED BY CALL CENTERS AND FOR PURCHASES OF MACHINERY OR EQUIPMENT PRIMARILY USED TO PROVIDE TELEPHONE SERVICES TO THE GENERAL PUBLIC. THIS ACT PROVIDES FOR DIVERSION OF SALES AND USE TAXES AS DEDICATED CREDITS TO BE USED FOR DEVICES ASSISTING HEARING OR SPEECH IMPAIRED PERSONS. THIS ACT PROVIDES FOR DIVERSION OF SALES AND USE TAXES AS DEDICATED CREDITS TO BE USED TO FUND THE

POISON CONTROL CENTER. THIS ACT ADDRESSES HOW BUNDLED TRANSACTIONS ARE TAXED UNDER THE SALES AND USE TAX ACT. THE ACT ADDRESSES CUSTOMER REMEDIES FOR OVER-PAYMENT OF SALES AND USE TAXES. THIS ACT MODIFIES THE PUBLIC UTILITIES TITLE TO ELIMINATE THE SURCHARGE FOR TELECOMMUNICATION DEVICES ASSISTING HEARING OR SPEECH IMPAIRED PERSONS. THIS ACT REPEALS THE EMERGENCY SERVICES TELEPHONE CHARGE THAT FUNDS THE POISON CONTROL CENTER. THIS ACT MAKES TECHNICAL CHANGES. THE ACT TAKES EFFECT ON JULY 1, 2003, was read for the first time and referred to the Rules Committee.

**STATE AND LOCAL TAXES, FEES, AND CHARGES
RELATED TO TELECOMMUNICATIONS**

S.B. 23

Curtis S. Bramble

THIS ACT MODIFIES THE UTAH MUNICIPAL CODE TO ENACT THE MUNICIPAL TELECOMMUNICATIONS LICENSE TAX ACT AND TO MAKE TECHNICAL CHANGES. AS ENACTED, THE MUNICIPAL TELECOMMUNICATIONS LICENSE TAX ACT AUTHORIZES A MUNICIPALITY TO LEVY AND COLLECT A MUNICIPAL TELECOMMUNICATIONS LICENSE TAX BY ORDINANCE. THE ACT PROVIDES FOR THE COLLECTION, ADMINISTRATION, AND ENFORCEMENT OF THE TAX THROUGH THE STATE TAX COMMISSION. THIS ACT LIMITS A MUNICIPALITY'S AUTHORITY TO IMPOSE OTHER TELECOMMUNICATIONS TAXES OR FEES. THIS ACT PROVIDES FOR REPORTING OF TAX RATE RELATED INFORMATION. THIS ACT ADDRESSES CUSTOMER REMEDIES. THE ACT ADDRESSES HOW BUNDLED TRANSACTIONS ARE TAXED UNDER THE MUNICIPAL TELECOMMUNICATIONS LICENSE TAX ACT. THIS ACT ADDRESSES RIGHTS-OF-WAY PROVISIONS. THIS ACT MODIFIES PROVISIONS RELATED TO THE CHARGE THAT MAY BE IMPOSED FOR EMERGENCY TELEPHONE SERVICES. THIS ACT ADDRESSES HOW THE LOCATION OF A TRANSACTION FOR TELEPHONE SERVICE AND MOBILE TELECOMMUNICATIONS SERVICE IS DETERMINED UNDER THE SALES AND USE TAX ACT. THIS ACT PROVIDES AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

LOCAL HUMAN SERVICES AUTHORITIES AMENDMENTS

S.B. 24

Scott K. Jenkins

THIS ACT MODIFIES PROVISIONS RELATING TO LOCAL SUBSTANCE ABUSE AUTHORITIES AND LOCAL MENTAL HEALTH

AUTHORITIES. THE ACT RENUMBERS THOSE PROVISIONS AND MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

**COMMITMENT AND CUSTODY OF ADULTS
AND MINORS AMENDMENTS**

S.B. 25

Scott K. Jenkins

THIS ACT MODIFIES PROVISIONS OF THE UTAH HUMAN SERVICES CODE RELATING TO COMMITMENT PROCEEDINGS. THE ACT CLARIFIES THE CIRCUMSTANCES UNDER WHICH PROCEEDINGS FOR THE COMMITMENT OF A CHILD MAY BE COMMENCED. THE ACT MODIFIES PROVISIONS RELATING TO THE INVOLUNTARY COMMITMENT OF ADULTS AND CHILDREN AND SPECIFIES THAT THEY MAY BE COMMITTED TO LOCAL MENTAL HEALTH AUTHORITIES ONLY AFTER A COURT COMMITMENT PROCEEDING. THE ACT ELIMINATES PROVISIONS RELATING TO THE COMMITMENT OF A CHILD TO THE LEGAL CUSTODY OF THE DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH AND CLARIFIES THAT CERTAIN COMMITMENT PROCEEDINGS APPLY TO THE COMMITMENT OF A CHILD TO THE PHYSICAL CUSTODY OF LOCAL MENTAL HEALTH AUTHORITIES. THE ACT CLARIFIES THAT A COURT DETERMINATION IS NECESSARY FOR A PERSON TO BE COMMITTED TO THE STATE HOSPITAL. THE ACT MAKES TECHNICAL AND CONFORMING CHANGES, was read for the first time and referred to the Rules Committee.

SUNSET ACT REAUTHORIZATIONS

S.B. 26

Patrice M. Arent

THIS ACT REAUTHORIZES CERTAIN STATE ENTITIES AND PROGRAMS THAT WOULD OTHERWISE SUNSET BEFORE THE 2004 ANNUAL GENERAL SESSION OF THE UTAH LEGISLATURE, was read for the first time and referred to the Rules Committee.

INVOLUNTARY COMMITMENT AMENDMENTS

S.B. 27

Leonard M. Blackham

THIS ACT MODIFIES THE PROCESS BY WHICH ADULTS ARE INVOLUNTARILY COMMITTED TO MENTAL HEALTH PROGRAMS. IT ELIMINATES THE "IMMEDIATE DANGER" STANDARD AND PROVIDES FOR A "SUBSTANTIAL DANGER" STANDARD FOR THE PURPOSES OF

INVOLUNTARY COMMITMENT, DEFINES SUBSTANTIAL DANGER, SHORTENS THE TIME PERIOD BEFORE A HEARING WHEN A PERSON IS BEING DETAINED PENDING A HEARING, AND REQUIRES A REPORT TO THE HEALTH AND HUMAN SERVICES INTERIM COMMITTEE. IT ALSO MODIFIES THE DEFINITION OF MENTAL ILLNESS, LIMITS THE NEW DEFINITION SOLELY TO INVOLUNTARY COMMITMENTS, AND REQUIRES EXAMINERS TO INFORM PATIENTS OF SPECIFIC RIGHTS, was read for the first time and referred to the Rules Committee.

INITIATIVE AMENDMENTS

S.B. 28

John W. Hickman

THIS ACT MODIFIES THE ELECTION CODE PROVISIONS RELATING TO STATEWIDE INITIATIVES. THIS ACT MODIFIES SIGNATURE REQUIREMENTS, MODIFIES CERTAIN DISCLOSURE REQUIREMENTS, AND MODIFIES THE TIME PERIOD DURING WHICH SPONSORS MAY GATHER SIGNATURES. THIS ACT ESTABLISHES A MORATORIUM BEFORE AN INITIATIVE THAT FAILED MAY BE RECIRCULATED. THIS ACT MODIFIES THE INITIATIVE PETITION FORM TO REQUIRE CERTAIN DISCLOSURES AND CERTIFICATIONS ON THE PETITION AND SIGNATURE SHEETS. THIS ACT REQUIRES THAT THE PETITION SPONSORS HOLD PUBLIC HEARINGS ON THE PETITION IN GEOGRAPHICALLY DIVERSE AREAS OF UTAH AND ESTABLISHES NOTICE AND PROCEDURAL REQUIREMENTS FOR THOSE PUBLIC HEARINGS. THIS ACT MODIFIES POLITICAL ISSUES COMMITTEE AND CORPORATION FINANCIAL DISCLOSURE REQUIREMENTS. THIS ACT MAKES IT A CRIME FOR PERSONS TO PAY SOMEONE TO SIGN OR REMOVE THEIR SIGNATURE FROM AN INITIATIVE PETITION AND MAKES IT A CRIME FOR PERSONS TO ACCEPT PAYMENT FOR SIGNING OR REMOVING THEIR NAME FROM AN INITIATIVE PETITION. THIS ACT INCLUDES A SEVERABILITY CLAUSE. THIS ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

DRIVER EDUCATION COURSES

S.B. 32

Carlene M. Walker

THIS ACT MODIFIES THE STATE SYSTEM OF PUBLIC EDUCATION BY REQUIRING SCHOOL DISTRICTS TO FUND DRIVER EDUCATION PROGRAMS SOLELY THROUGH THE AUTOMOBILE DRIVER EDUCATION TAX ACCOUNT AND STUDENT FEES, EXCLUDING THE

FULL-TIME EQUIVALENT COST OF A TEACHER WHEN THE PROGRAM IS TAUGHT DURING REGULAR SCHOOL HOURS. THIS ACT ALSO REQUIRES SCHOOL DISTRICTS TO ESTABLISH STUDENT FEES THAT ARE REASONABLY ASSOCIATED WITH THE COSTS OF DRIVER EDUCATION PROGRAMS. THIS ACT ALLOWS SCHOOL DISTRICTS TO BE REIMBURSED BY THE AUTOMOBILE DRIVER EDUCATION ACCOUNT FOR THE COSTS OF FEES WAIVED FOR THE DRIVER EDUCATION PROGRAM. THIS ACT ALLOWS A SCHOOL DISTRICT TO PROVIDE THE CLASSROOM PORTION OF DRIVER EDUCATION THROUGH HOME STUDY OR THROUGH THE ELECTRONIC HIGH SCHOOL AND ALLOWS THE SCHOOLS TO PROVIDE MATERIAL FOR PARENT INVOLVEMENT IN DRIVER EDUCATION. THIS ACT ALLOWS A SCHOOL DISTRICT TO OFFER THE CLASSROOM PORTION OF DRIVER EDUCATION AND THE BEHIND-THE-WHEEL PORTION TO BE OFFERED BY PRIVATE PROVIDERS. THIS ACT REQUIRES THE STATE BOARD OF EDUCATION TO ESTABLISH MINIMUM STANDARDS FOR SCHOOL-RELATED DRIVER EDUCATION PROGRAMS. THIS ACT TAKES EFFECT ON JULY 1, 2003, was read for the first time and referred to the Rules Committee.

FEES FOR SHERIFF

S.B. 33

Mike Dmitrich

THIS ACT MODIFIES PROVISIONS RELATING TO COUNTIES TO INCREASE THE AMOUNT OF FEES THAT A SHERIFF RECEIVES FOR THE PERFORMANCE OF CERTAIN DUTIES AND SERVICES, was read for the first time and referred to the Rules Committee.

TUITION TAX CREDITS

S.B. 34

D. Chris Buttars

THIS ACT MODIFIES CORPORATE FRANCHISE AND INCOME TAXES AND THE INDIVIDUAL INCOME TAX ACT TO PROVIDE FOR NONREFUNDABLE TAX CREDITS FOR CONTRIBUTIONS MADE TO A SCHOLARSHIP GRANTING ORGANIZATION TO BE USED FOR TUITION GRANTS FOR A QUALIFYING STUDENT TO ATTEND A PRIVATE SCHOOL, OR NONREFUNDABLE TAX CREDITS FOR AMOUNTS PAID FOR TUITION TO A PRIVATE SCHOOL ON BEHALF OF A QUALIFYING STUDENT. THE ACT PROVIDES DEFINITIONS AND ESTABLISHES PROCEDURES AND REQUIREMENTS FOR ADMINISTERING THE TAX CREDITS. THE ACT ESTABLISHES DUTIES OF SCHOLARSHIP

GRANTING ORGANIZATIONS AND PROVIDES PENALTIES. THE ACT AUTHORIZES THE STATE TAX COMMISSION TO MAKE RULES. THIS ACT AUTHORIZES THE DIVISION OF CONSUMER PROTECTION TO ENFORCE CERTAIN PRIVATE SCHOOL REQUIREMENTS. THIS ACT HAS RETROSPECTIVE OPERATION FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2003, was read for the first time and referred to the Rules Committee.

REDEVELOPMENT OF SUPERFUND SITES

S.B. 35

D. Chris Buttars

THIS ACT MODIFIES THE REDEVELOPMENT AGENCIES ACT. THE ACT EXPANDS THE CRITERIA FOR BLIGHT TO INCLUDE A SUPERFUND SITE. THE ACT MAKES AN EXCEPTION TO A SIZE RESTRICTION ON PROJECT AREAS FOR THE CASE OF A SUPERFUND SITE. THE ACT AUTHORIZES THE USE OF TAX INCREMENT FUNDS FOR A SUPERFUND SITE WITHOUT TAXING ENTITY APPROVAL, was read for the first time and referred to the Rules Committee.

MINERAL LEASE FUND AMENDMENTS

S.B. 36

Beverly Ann Evans

THIS ACT MODIFIES PROVISIONS ON MINERAL LEASE FUNDS. THE ACT EXPANDS THE PUBLIC ENTITIES THAT MAY RECEIVE MONIES FROM THE MINERAL LEASE ACCOUNT TO INCLUDE PUBLIC INSTITUTIONS OF HIGHER EDUCATION, was read for the first time and referred to the Rules Committee.

TASK FORCE STUDY OF IMPACT OF GRAVEL PITS

S.B. 37

Peter C. Knudson

THIS ACT CREATES A TASK FORCE TO STUDY THE OPERATIONS OF GRAVEL PITS IN THE STATE AND THEIR IMPACT ON THE SURROUNDING ENVIRONMENT AND INFRASTRUCTURE. THE ACT ESTABLISHES THE MEMBERSHIP OF THE TASK FORCE AND PROVIDES FOR COMPENSATION OF LEGISLATIVE MEMBERS. THE ACT PROVIDES FOR THE DUTIES OF THE TASK FORCE. THE ACT MAKES A ONE-TIME APPROPRIATION OF \$29,500 FROM THE GENERAL FUND FOR FISCAL YEAR 2002-03 TO PAY FOR TASK FORCE EXPENSES. THE ACT PROVIDES A REPEAL DATE, was read for the first time and referred to the Rules Committee.

CHILD ACCESS TO FIREARM PREVENTION AMENDMENTS**S.B. 38***Paula F. Julander*

THIS ACT MODIFIES THE UTAH CRIMINAL CODE. THE ACT CREATES A CRIME FOR NEGLIGENT STORAGE OF A FIREARM WITH EXCEPTIONS. THE ACT REQUIRES A LICENSED FIREARM DEALER TO PROVIDE WRITTEN WARNING OF POSSIBLE PROSECUTION AND CIVIL SUIT FOR NEGLIGENT STORAGE OF A FIREARM AND PROVIDES A CRIMINAL PENALTY TO DEALERS WHO VIOLATE THIS REQUIREMENT. THE ACT CREATES A CIVIL CAUSE OF ACTION FOR NEGLIGENT STORAGE OF A FIREARM. THE ACT DEFINES TERMS. THE ACT PROVIDES DISCRETION FOR A PROSECUTOR AND AN ARRESTING OFFICER. THE ACT ESTABLISHES A DAMAGE CAP AND PROVIDES A STATUTE OF LIMITATION, was read for the first time and referred to the Rules Committee.

AMENDMENTS TO THE UTAH ANTIDISCRIMINATION ACT**S.B. 39***Ed P. Mayne*

THIS ACT MODIFIES THE UTAH ANTIDISCRIMINATION ACT TO CLARIFY THAT A PERSON EMPLOYING SIX OR MORE EMPLOYEES MAY NOT DISCRIMINATE UNDER THE UTAH ANTIDISCRIMINATION ACT, was read for the first time and referred to the Rules Committee.

PAY PLAN - SALARY SURVEY AMENDMENTS**S.B. 40***Mike Dmitrich*

THIS ACT MODIFIES THE PERSONNEL MANAGEMENT ACT BY ELIMINATING THE REQUIREMENT THAT SALARY SURVEYS FOR PEACE OFFICERS, CORRECTIONAL OFFICERS, AND PUBLIC SAFETY DISPATCH PERSONNEL INCLUDE A SURVEY OF BENEFITS. THIS ACT ALSO ELIMINATES THE REQUIREMENT THAT THE DIRECTOR CONSIDER INTERNAL COMPARISONS AND OTHER FACTORS WHEN DETERMINING COMPENSATION. THIS ACT TAKES EFFECT JANUARY 1, 2004, was read for the first time and referred to the Rules Committee.

CLANDESTINE LAB RACKETEERING AMENDMENT**S.B. 41***Patrice M. Arent*

THIS ACT MODIFIES THE CRIMINAL CODE BY INCLUDING CLANDESTINE DRUG LAB ACT OFFENSES AS UNLAWFUL ACTIVITY

WHEN DETERMINING A PATTERN OF UNLAWFUL ACTIVITY UNDER THE STATE'S RACKETEERING PROVISIONS, was read for the first time and referred to the Rules Committee.

FRAUDULENT USE OF CREDIT CARD NUMBER

S.B. 42

Carlene M. Walker

THIS ACT MODIFIES THE CRIMINAL CODE BY PROVIDING THAT POSSESSION OF A FINANCIAL TRANSACTION CARD NUMBER OR RELATED INFORMATION WITH THE INTENT TO DEFRAUD IS A THIRD DEGREE FELONY. THIS ACT ALSO PROVIDES THAT A PERSON WHO OBTAINS THE ENCODED INFORMATION FROM THE STRIP ON A FINANCIAL TRANSACTION CARD WITH THE INTENT TO USE THE INFORMATION TO DEFRAUD A MERCHANT IS GUILTY OF A THIRD DEGREE FELONY, AND THAT ANY SUBSEQUENT VIOLATION IS A SECOND DEGREE FELONY, was read for the first time and referred to the Rules Committee.

PROVIDING INFORMATION RELATING TO TAX CREDITS AND TAX FILING DUE DATES

S.B. 43

David H. Steele

THIS ACT MODIFIES TARGETED BUSINESS INCOME TAX CREDITS WITHIN AN ENTERPRISE ZONE, CORPORATE FRANCHISE AND INCOME TAXES, AND THE INDIVIDUAL INCOME TAX ACT TO MODIFY THE REQUIREMENTS FOR PROVIDING INFORMATION TO THE STATE TAX COMMISSION WHEN A TAXPAYER CLAIMS A TAX CREDIT. THE ACT MODIFIES THE INFORMATION THAT CERTAIN ENTITIES ARE REQUIRED TO PROVIDE TO TAXPAYERS CLAIMING CERTAIN TAX CREDITS AND THE REQUIREMENTS FOR PROVIDING THIS INFORMATION. THE ACT MODIFIES THE DUE DATES FOR FILING CERTAIN RETURNS WITH THE STATE TAX COMMISSION, AND MAKES TECHNICAL CHANGES. THE ACT HAS RETROSPECTIVE OPERATION FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2003, was read for the first time and referred to the Rules Committee.

TORT REFORM AMENDMENTS

S.B. 44

Leonard M. Blackham

THIS ACT ENACTS A PROVISION PROVIDING FOR THE AFFIRMATIVE DEFENSE OF ASSUMPTION OF RISK IN TORT ACTIONS, was read for the first time and referred to the Rules Committee.

LOBBYIST REPORTING REQUIREMENTS**S.B. 45***Patrice M. Arent*

THIS ACT MODIFIES THE LOBBYIST REGULATION AND DISCLOSURE ACT BY CLARIFYING REQUIREMENTS FOR LOBBYIST AND PRINCIPAL REPORTING WHEN A PERSON OR ENTITY CEASES TO BE A LOBBYIST OR PRINCIPAL, was read for the first time and referred to the Rules Committee.

RESIDENTIAL PROPERTY TAX EXEMPTIONS**S.B. 46***Ed P. Mayne*

THIS ACT MODIFIES THE PROPERTY TAX ACT TO PROVIDE DEFINITIONS, TO PROVIDE FOR AN EXEMPTION FROM TAXATION OF A PORTION OF THE FAIR MARKET VALUE OF A QUALIFYING SECONDARY RESIDENCE, AND TO CLARIFY THE EXEMPTION FROM TAXATION OF A PORTION OF THE FAIR MARKET VALUE OF A PRIMARY RESIDENCE. THE ACT ESTABLISHES PROCEDURES AND REQUIREMENTS FOR CLAIMING AN EXEMPTION FOR A QUALIFYING SECONDARY RESIDENCE. THIS ACT REQUIRES THE STATE TAX COMMISSION TO MAKE DISTRIBUTIONS FROM THE GENERAL FUND TO COUNTIES FOR THE AMOUNT OF EXEMPTIONS CLAIMED FOR QUALIFYING SECONDARY RESIDENCES AND ESTABLISHES PROCEDURES FOR MAKING SUCH DISTRIBUTIONS. THIS ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

LABOR COMMISSION - APPEALS BOARD**S.B. 47***John L. Valentine*

THIS ACT MODIFIES THE UTAH LABOR CODE TO PROVIDE FOR TEMPORARY APPOINTMENTS TO THE APPEALS BOARD IN CASES WHERE THERE IS A VACANCY ON THE APPEALS BOARD. THIS ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

REPEAL OF TRADING STAMPS REGULATION**S.B. 78***Scott K. Jenkins*

THIS ACT REPEALS CODE PROVISIONS RELATING TO THE REGULATION OF TRADING STAMPS. THE ACT REPEALS PROVISIONS

REQUIRING PERSONS IN THE BUSINESS OF TRADING STAMPS TO ESTABLISH AN OFFICE IN UTAH, APPOINT A PROCESS ATTORNEY FOR CIVIL ACTIONS, AND POST A BOND. THE ACT REPEALS PROVISIONS REQUIRING TRADING STAMPS TO DISPLAY THEIR REDEEMABLE VALUE, AND REPEALS PROVISIONS PROVIDING GUIDELINES FOR THE REDEMPTION OF TRADING STAMPS. , was read for the first time and referred to the Rules Committee.

DISABLED PARKING FINE

S.B. 79

D. Chris Buttars

THIS ACT MODIFIES THE MOTOR VEHICLE CODE BY INCREASING THE FINE FOR PARKING IN A DISABILITY PARKING ZONE FROM \$100 TO \$200 AND FOR PARKING IN A SCHOOL BUS PARKING ZONE FROM \$50 TO \$100, was read for the first time and referred to the Rules Committee.

ADVERSE BENEFIT DETERMINATION AMENDMENTS

S.B. 80

Peter C. Knudson

THIS ACT AMENDS THE INSURANCE CODE. THE ACT AMENDS THE ADVERSE BENEFIT DETERMINATION REVIEW PROCESS FOR GROUP HEALTH PLANS TO INCLUDE INDIVIDUAL OR GROUP HEALTH PLANS AND INCOME REPLACEMENT OR DISABILITY INCOME POLICIES, was read for the first time and referred to the Rules Committee.

PUBLIC SAFETY RETIREMENT AMENDMENTS

S.B. 81

Mike Dmitrich

THIS ACT MODIFIES THE UTAH STATE RETIREMENT AND INSURANCE BENEFIT ACT BY INCREASING THE COST-OF-LIVING ALLOWANCE FOR MEMBERS OF THE PUBLIC SAFETY RETIREMENT SYSTEMS. THIS ACT TAKES EFFECT ON JULY 1, 2003, was read for the first time and referred to the Rules Committee.

AUTHORIZED OVERSPENDING LIMIT IN FEDERAL MEDICAID BUDGET

S.B. 82

Beverly Ann Evans

THIS ACT MODIFIES THE EMPLOYMENT SUPPORT ACT BY GRANTING AUTHORITY TO THE GOVERNOR TO SUPPLEMENT THE

ANNUAL APPROPRIATION FOR MEDICAL BENEFITS OR PUBLIC ASSISTANCE, was read for the first time and referred to the Rules Committee.

**OCCUPATIONAL AND PROFESSIONAL
LICENSING MODIFICATIONS**

S.B. 83

Lyle W. Hillyard

THIS ACT MODIFIES PROVISIONS OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT RELATED TO REINSTATEMENT OF LICENSES AND DIVERSION PROCEDURES. THE ACT PROVIDES THAT FOR LICENSES REINSTATED NO LATER THAN 120 DAYS AFTER EXPIRATION THE REINSTATEMENT GOES BACK TO THE DATE OF EXPIRATION. THE ACT ALLOWS DIVERSION IN LICENSEE DISCIPLINARY MATTERS AS WELL AS FOR SELF-REFERRALS. THE ACT DEFINES AND PROVIDES FOR THE EXTENSION AND TERMINATION OF A DIVERSION AGREEMENT. THE ACT DETAILS THE EFFECT OF A DIVERSION AGREEMENT ON CHARGES AGAINST A LICENSEE OF UNPROFESSIONAL OR UNLAWFUL CONDUCT THAT ARE UNDER THE DIVISION DIRECTOR'S JURISDICTION. THE ACT ESTABLISHES A PROCEDURE TO BE FOLLOWED BY THE DIVISION IN THE EVENT THE LICENSEE MAKES AN INTENTIONAL MISREPRESENTATION OF FACT IN THE STIPULATION OF FACTS PART OF THE DIVERSION AGREEMENT, was read for the first time and referred to the Rules Committee.

**REAL PROPERTY VOLUNTARY ENVIRONMENTAL
RESTRICTIVE COVENANTS**

S.B. 84

Bill Wright

THIS ACT MODIFIES THE ENVIRONMENTAL QUALITY CODE BY CREATING A NEW CHAPTER, "ENVIRONMENTAL INSTITUTIONAL CONTROL ACT." THE ACT ALLOWS FOR CREATION OF ENVIRONMENTAL INSTITUTIONAL CONTROLS WHICH LIMIT OR OTHERWISE AFFECT THE USE OF REAL PROPERTY WHICH HAS BEEN AFFECTED BY A CLEANUP OR RISK ASSESSMENT. THE ACT INCLUDES PROCEDURES FOR ESTABLISHMENT AND ENFORCEMENT OF THE INSTITUTIONAL CONTROLS, REMOVAL OF THE CONTROLS, AND APPEAL OF THE EXECUTIVE DIRECTOR'S DECISION REGARDING THE CONTROLS, was read for the first time and referred to the Rules Committee.

UNDERGROUND STORAGE TANK AMENDMENT**S.B. 85***Bill Wright*

THIS ACT MODIFIES THE UNDERGROUND STORAGE TANK ACT BY INCREASING THE ENVIRONMENTAL ASSURANCE FEE OF 1/4 CENT PER GALLON ON THE FIRST SALE OR USE OF PETROLEUM PRODUCTS TO 1/2 CENT PER GALLON. THE ACT PROVIDES FOR A REDUCTION OF THE FEE WHEN THE CASH BALANCE IN THE PETROLEUM STORAGE TANK TRUST FUND EXCEEDS \$20,000,000 IN ANY YEAR, was read for the first time and referred to the Rules Committee.

**PROHIBITION OF AUTOMATIC RENEWAL
OF SERVICE CONTRACTS****S.B. 86***Michael G. Waddoups*

THIS ACT MODIFIES THE TITLE DEALING WITH CONTRACTS AND OBLIGATIONS IN GENERAL BY ENACTING PROVISIONS THAT PROHIBIT THE AUTOMATIC RENEWAL OF SERVICE CONTRACTS UNLESS THE SELLER NOTIFIES THE CONSUMER OF THE AUTOMATIC RENEWAL., was read for the first time and referred to the Rules Committee.

LIBRARY AMENDMENTS**S.B. 87***Michael G. Waddoups*

THIS ACT MODIFIES PROVISIONS RELATED TO COUNTY LIBRARIES BY MAKING THE LIBRARY BOARD OF DIRECTORS AN ADVISORY BODY AND RESTRUCTURING ITS DUTIES. THIS ACT SHIFTS THE TRUSTEESHIP OF DONATIONS FOR THE BENEFIT OF A LIBRARY FROM THE LIBRARY BOARD TO THE COUNTY LEGISLATIVE BODY, was read for the first time and referred to the Rules Committee.

SECURITY PERSONNEL LICENSING ACT AMENDMENTS**S.B. 88***Dan R. Eastman*

THIS ACT MODIFIES THE SECURITY PERSONNEL LICENSING ACT BY CREATING A SECURITY PERSONNEL LICENSING EDUCATION AND ENFORCEMENT FUND TO EDUCATE AND TRAIN LICENSEES AND THE GENERAL PUBLIC AND TO HELP ENFORCE THE PROVISIONS OF THE LICENSING ACT. THE ACT GIVES THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING AUTHORITY TO ISSUE CITATIONS

FOR VIOLATIONS OF THE LICENSING ACT AND ASSESS FINES FOR CITED OFFENSES. THE ACT EXPANDS THE DEFINITION OF UNLAWFUL CONDUCT USED IN THE LICENSING ACT, was read for the first time and referred to the Rules Committee.

**MENTAL HEALTH PROFESSIONAL
PRACTICE ACT AMENDMENTS**

S.B. 89

D. Chris Buttars

THIS ACT MODIFIES THE MENTAL HEALTH PROFESSIONAL PRACTICE ACT BY ESTABLISHING QUALIFICATIONS FOR CLINICAL WORKER SUPERVISORS, was read for the first time and referred to the Rules Committee.

PRESCRIPTIVE PRACTICE PEER COMMITTEE REPEALER

S.B. 90

Paula F. Julander

THIS ACT REPEALS THE PRESCRIPTIVE PRACTICE PEER COMMITTEE, was read for the first time and referred to the Rules Committee.

FUNERAL SERVICES AMENDMENTS

S.B. 91

David L. Gladwell

THIS ACT MODIFIES THE OCCUPATIONS AND PROFESSIONS CODE BY REPEALING THE FUNERAL SERVICES LICENSING ACT AND THE PRENEED FUNERAL ARRANGEMENT ACT. THE ACT ENACTS THE PROVISIONS OF THOSE TWO ACTS AS THE FUNERAL SERVICES ACT. THE ACT ALTERS THE MEMBERSHIP OF THE BOARD OF FUNERAL SERVICE. THE ACT ELIMINATES THE PRENEED FUNERAL ARRANGEMENT LICENSING BOARD AND TRANSFERS THE DUTIES AND RESPONSIBILITIES TO THE BOARD OF FUNERAL SERVICE. THE ACT ENACTS PROVISIONS PROHIBITING A CONVICTED FELON FROM HOLDING CERTAIN LICENSES. THE ACT ENACTS ENDORSEMENT REQUIREMENTS FOR INDIVIDUALS LICENSED IN ANOTHER JURISDICTION. THE ACT ENACTS PROVISIONS PROHIBITING SOLICITATION OF FUNERAL SERVICES OR MERCHANDISE AFTER A PERSON'S DEATH. THE ACT ESTABLISHES CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS. THE ACT ENACTS PROVISIONS DEALING WITH THE RIGHT AND DUTY TO CONTROL THE DISPOSITION OF A DECEASED PERSON, AND PROVIDES IMMUNITY TO FUNERAL SERVICE DIRECTORS WHO CONTROL THE DISPOSITION OF A

DECEASED PERSON UNDER SOME CIRCUMSTANCES. THE ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

LAND SURVEYOR AMENDMENTS

S.B. 92

Howard A. Stephenson

THIS ACT MODIFIES THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT BY SUNSETTING THE OPTION OF PERSONS SEEKING LICENSURE AS PROFESSIONAL LAND SURVEYORS TO SUBSTITUTE A PROGRAM OF QUALIFYING EXPERIENCE FOR THE EDUCATIONAL REQUIREMENT. THE ACT ALSO MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

REAPPOINTMENT OF COUNTY JUSTICE COURT JUDGES

S.B. 93

Thomas V. Hatch

THIS ACT MODIFIES THE JUDICIAL CODE AS IT PERTAINS TO COUNTY JUSTICE COURT JUDGES. IT ELIMINATES THE RETENTION ELECTION FOR COUNTY JUSTICE COURT JUDGES AND REQUIRES THEIR REAPPOINTMENT BY THE COUNTY LEGISLATIVE BODY, was read for the first time and referred to the Rules Committee.

CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS

S.B. 94

John L. Valentine

THIS ACT MODIFIES THE LICENSING REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS BY REQUIRING APPLICANTS TO SIT FOR AND MEET THE CONDITIONING REQUIREMENTS OF THE AICPA UNIFORM CPA EXAMINATION AS ESTABLISHED BY THE AICPA, was read for the first time and referred to the Rules Committee.

STATE EMERGENCY MEDICAL SERVICES AMENDMENTS

S.B. 95

John L. Valentine

THIS ACT MODIFIES THE UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT. THE ACT ESTABLISHES A STATEWIDE DATABASE FOR THE COLLECTION AND DISTRIBUTION OF INFORMATION

REGARDING THE LOCATION OF COMMERCIALLY OWNED FULLY AUTOMATED EXTERNAL DEFIBRILLATORS. THE ACT AUTHORIZES THE DEPARTMENT TO WORK WITH COMMUNITY AGENCIES TO PROMOTE EDUCATION AND INSTRUCTION ON THE USE OF FULLY AUTOMATED EXTERNAL DEFIBRILLATORS AND CARDIO PULMONARY RESUSCITATION, was read for the first time and referred to the Rules Committee.

**DIVISION OF OCCUPATIONAL AND PROFESSIONAL
LICENSING ACT AMENDMENTS**

S.B. 96*Paula F. Julander*

THIS ACT PROVIDES THAT THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING MAY NOT INCLUDE HOME TELEPHONE NUMBERS OR HOME ADDRESSES ON THE LISTS OF LICENSEES IT PREPARES THAT ARE MADE AVAILABLE TO THE GENERAL PUBLIC, was read for the first time and referred to the Rules Committee.

COUNTY ANNEXATION AMENDMENTS

S.B. 97*Carlene M. Walker*

THIS ACT MODIFIES PROVISIONS RELATING TO COUNTIES. THE ACT REPEALS AN ALTERNATE PROCEDURE FOR ANNEXING PART OF ONE COUNTY TO ANOTHER AND MAKES TECHNICAL AND CONFORMING CHANGES, was read for the first time and referred to the Rules Committee.

**TAXATION OF MEDICALLY IMPLANTED
DEVICES AND PROSTHETICS**

S.B. 98*D. Chris Buttars*

THIS ACT MODIFIES THE SALES AND USE TAX ACT TO PROVIDE DEFINITIONS, TO EXEMPT SALES OF PROSTHETIC DEVICES AND SURGICAL IMPLANTS FROM SALES AND USE TAXES, AND TO MAKE TECHNICAL CHANGES. THE ACT TAKES EFFECT ON JULY 1, 2003, was read for the first time and referred to the Rules Committee.

SEAT BELT ENFORCEMENT

S.B. 99*Karen Hale*

THIS ACT MODIFIES THE MOTOR VEHICLES CODE BY AMENDING SAFETY BELT ENFORCEMENT PROVISIONS. THIS ACT REPEALS THE

PROVISION THAT MAKES A SEAT BELT VIOLATION FOR A PERSON 19 YEARS OF AGE OR OLDER ENFORCEABLE ONLY AS A SECONDARY ACTION WHEN THE PERSON IS DETAINED FOR ANOTHER OFFENSE, was read for the first time and referred to the Rules Committee.

INDIAN AFFAIRS AMENDMENTS

S.B. 100

Beverly Ann Evans

THIS ACT MODIFIES PROVISIONS OF THE UTAH DIVISION OF INDIAN AFFAIRS ACT RELATED TO MEETINGS BETWEEN THE DIVISION AND TRIBAL LEADERS INCLUDING CLARIFYING WHEN THE OPEN AND PUBLIC MEETINGS REQUIREMENTS APPLY AND ALLOWING SPECIFIED STATE AGENCIES TO PARTICIPATE IN CERTAIN MEETINGS. THIS ACT REPEALS THE STATE NATIVE AMERICAN COORDINATING BOARD. THIS ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

PROCUREMENT CODE REQUIREMENTS OF HEALTH CARE BENEFITS

S.B. 101

Ed P. Mayne

THIS ACT MODIFIES THE UTAH PROCUREMENT CODE BY REQUIRING CERTAIN BUSINESSES TO PROVIDE QUALIFIED HEALTH INSURANCE COVERAGE TO EMPLOYEES AS A CONDITION FOR CONTRACTING WITH THE STATE UNDER CERTAIN CIRCUMSTANCES, was read for the first time and referred to the Rules Committee.

PROPERTY TAX APPEAL PROVISIONS

S.B. 102

Curtis S. Bramble

THIS ACT AMENDS THE REAL ESTATE APPRAISER LICENSING AND CERTIFICATION ACT AND THE REVENUE AND TAXATION CODE. THIS ACT EXEMPTS REAL ESTATE BROKERS, REAL ESTATE SALES AGENTS, AND OTHER PERSONS FROM REAL ESTATE APPRAISER LICENSING AND CERTIFICATION REQUIREMENTS WHEN GIVING AN OPINION REGARDING THE VALUE OF REAL ESTATE IN CERTAIN CIRCUMSTANCES. THE ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

CONCEALED WEAPON PERMIT HOLDER AMENDMENTS

S.B. 103

Curtis S. Bramble

THIS ACT MODIFIES PROVISIONS RELATED TO CONCEALED WEAPONS BY REMOVING THE 60-DAY RESTRICTION ON THE

VALIDITY OF CONCEALED FIREARM PERMITS ISSUED BY ANOTHER STATE OR COUNTY, was read for the first time and referred to the Rules Committee.

**DISCLOSURE OF VEHICLE INFORMATION
FOR PRODUCT RECALL**

S.B. 104*Dan R. Eastman*

THIS ACT MODIFIES THE MOTOR VEHICLES CODE BY PROVIDING THAT ACCESS TO DIVISION RECORDS INCLUDES ALL PURPOSES PERMITTED UNDER FEDERAL LAW. THIS ACT PROVIDES THAT RESALE AND DISCLOSURE OF PROTECTED INFORMATION IS PROHIBITED EXCEPT AS PERMITTED UNDER FEDERAL LAW. THIS ACT ELIMINATES ENUMERATED EXCEPTIONS THAT ARE PERMITTED UNDER FEDERAL LAW, was read for the first time and referred to the Rules Committee.

PLEDGE OF ALLEGIANCE IN PUBLIC SCHOOLS

S.B. 105*D. Chris Buttars*

THIS ACT MODIFIES PROVISIONS OF THE STATE SYSTEM OF PUBLIC EDUCATION CODE RELATING TO THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PUBLIC SECONDARY SCHOOLS, was read for the first time and referred to the Rules Committee.

RESOLUTION URGING LIGHT POLLUTION PREVENTION

S.C.R. 1*Ron Allen*

THIS CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR URGES STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE, CITIZENS, AND BUSINESSES TO PREVENT LIGHT POLLUTION, was read for the first time and referred to the Rules Committee.

**JOINT RESOLUTION - RULES REVISIONS
RENAMING AN APPROPRIATIONS SUBCOMMITTEE**

S.J.R. 1*Beverly Ann Evans*

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES BY CHANGING THE NAME OF A JOINT APPROPRIATIONS SUBCOMMITTEE. THIS RESOLUTION HAS AN IMMEDIATE EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

RESOLUTION REAPPOINTING GENERAL COUNSEL**S.J.R. 2***Michael G. Waddoups*

A JOINT RESOLUTION OF THE LEGISLATURE APPROVING THE REAPPOINTMENT OF M. GAY TAYLOR AS GENERAL COUNSEL FOR THE LEGISLATURE, was read for the first time and referred to the Rules Committee.

**RESOLUTION PROVIDING FOR
CONTESTED JUDICIAL ELECTIONS****S.J.R. 3***David L. Thomas*

THIS JOINT RESOLUTION OF THE LEGISLATURE PROPOSES TO AMEND THE UTAH CONSTITUTION TO MODIFY THE PROCESS OF SELECTING JUSTICES AND JUDGES FOR COURTS OF RECORD. THE JOINT RESOLUTION ELIMINATES THE PROCESS OF SELECTING JUSTICES AND JUDGES BY GOVERNOR APPOINTMENT FROM A LIST PROVIDED BY THE JUDICIAL NOMINATING COMMISSION AND REPLACES THAT SELECTION PROCESS WITH NONPARTISAN ELECTION OF JUSTICES AND JUDGES. THE JOINT RESOLUTION DIRECTS THE LIEUTENANT GOVERNOR TO SUBMIT THIS PROPOSAL TO VOTERS AND PROVIDES AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

**RESOLUTION URGING THAT A PUBLIC HEARING BE HELD ON
THE STRUCTURE OF THE PUBLIC SERVICE COMMISSION****S.J.R. 4***Ed P. Mayne*

THIS JOINT RESOLUTION OF THE LEGISLATURE URGES THE PUBLIC UTILITIES AND TECHNOLOGY INTERIM COMMITTEE TO CONDUCT A PUBLIC HEARING AT WHICH PUBLIC COMMENT COULD BE RECEIVED CONCERNING WHETHER THE PUBLIC SERVICE COMMISSION SHOULD BE RESTRUCTURED, INCLUDING WHETHER COMMISSIONERS OF THE PUBLIC SERVICE COMMISSION SHOULD BE ELECTED, was read for the first time and referred to the Rules Committee.

**SENATE RULES RESOLUTION -
STANDING COMMITTEE REVISIONS****S.R. 1***Beverly Ann Evans*

A RESOLUTION OF THE SENATE REVISING SENATE RULES BY CHANGING THE NAME OF A SENATE STANDING COMMITTEE. THIS

RESOLUTION HAS AN IMMEDIATE EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

SENATE RULES RESOLUTION - PLEDGE OF ALLEGIANCE

S.R. 2

David L. Gladwell

THIS RESOLUTION MODIFIES SENATE RULES GOVERNING THE ORDER OF BUSINESS BY ADDING THE PLEDGE OF ALLEGIANCE TO THE DAILY ORDER OF BUSINESS. THIS RESOLUTION TAKES EFFECT IMMEDIATELY, was read for the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:

January 20, 2003

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor

S.B. 10	Preneed Funeral Arrangement Amendments (P. Arent)
S.B. 78	Repeal of Trading Stamps Regulation (S. Jenkins)
S.B. 83	Occupational and Professional Licensing Modifications (L. Hillyard)
S.B. 88	Security Personnel Licensing Act Amendments (D. Eastman)
S.B. 91	Funeral Services Amendments (D. Gladwell)
S.B. 92	Land Surveyor Amendments (H. Stephenson)
S.B. 94	Certified Public Accountant Licensing Act Amendments (J. Valentine)

Government Operations and Political Subdivisions

S.B. 33	Fees for Sheriff (M. Dmitrich)
S.B. 40	Pay Plan - Salary Survey Amendments (M. Dmitrich)
S.B. 87	Library Amendments (M. Waddoups)

Health and Human Services

S.B. 80	Adverse Benefit Determination Amendments (P. Knudson)
S.B. 89	Mental Health Professional Practice Act Amendments (D. C. Buttars)

Judiciary, Law Enforcement, and Criminal Justice

S.B. 86	Prohibition of Automatic Renewal of Service Contracts (M. Waddoups)
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- S.B. 18** Lieutenant Governor Certification of Special District and Local District Annexations, Withdrawals, and Dissolutions (D. Gladwell)
- S.B. 24** Local Human Services Authorities Amendments (S. Jenkins)
- S.B. 25** Commitment and Custody of Adults and Minors Amendments (S. Jenkins)

Lyle Hillyard

Rules Committee Chair

Report filed. On motion of Senator Hillyard, the committee report was adopted.

* * *

The Senate recognized former Senators Terry Spencer and Ed Allen. Senators Steele, Knudson, Blackham, Allen and Hale commented.

COMMITTEE OF THE WHOLE

On motion of Senator Waddoups, Ross Peterson, Emeritus Professor of History, Utah State University, spoke in Committee of the Whole for a presentation by the Martin Luther King Human Rights Commission.

On motion of Senator Waddoups, the Committee of the Whole was dissolved.

On motion of Senator Valentine, the remarks of Ross Peterson will be spread on the pages of the Senate Journal.

REMARKS BY ROSS PETERSON, PROFESSOR EMERITUS, UTAH STATE UNIVERSITY

Mr. President Mansell, Members of the Senate and friends, it is a privilege and an honor to represent Utah's Martin Luther King Commission on this national holiday. We are here to commemorate the life and legacy of Martin Luther King, Jr. We are not here in grief or in sorrow, but are here to rejoice in the fact that Dr. King lived in this nation and led a movement that changed the fabric of American life.

His journey from the Montgomery, Alabama, bus boycott in 1955 to his assassination at Memphis in 1968 is just thirteen short years, a mere dot on history's time line. Yet as he preached and marched and talked and walked across this great nation from South to North and East to West, Martin Luther King, Jr. became both the symbol and the conscience of an era. Utilizing the philosophy of

non-violent resistance to injustice and direct confrontation with inequality, he dramatized the reality that the lofty ideals of Thomas Jefferson's Declaration of Independence and Abraham Lincoln's Emancipation Proclamation had not yet been fulfilled for many Americans.

He lived and led when people really cared. Individuals of all races and religions were willing to walk together, pray together, go to jail together, and yes, even die together. We honor King today because his message is universal and timeless. He encouraged us to be better and taught that every individual has value regardless of religion, color, age, sex, or physical infirmity. In 1963 from a dank Birmingham, Alabama, jail cell he wrote, "I am cognizant of the interrelatedness of all communities and states. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Anyone who lives in the United States can never be considered an outsider anywhere in this country."

King practiced what M. Russell Ballard has called the "Doctrine of Inclusion." Ballard wrote that, "Of all people, we should be the most loving, the kindest, the most tolerant." King and Ballard both admonished all citizens to be kind to one another despite our deepest differences. Treat one another with respect and civility. As Gordon B. Hinckley admonished, "Each of us in an individual; each of us is different. There must be respect for those differences. We cannot afford to exclude anyone because we, all of us, are literally tied together in a single garment of destiny." The Rev. France David prayed, "In unity we find strength and courage and hope."

Consequently, members of Congress or a Legislature represent not only those who voted for them or members of their own political party, but they represent all citizens. Their actions and their laws can benefit everyone in a society. That is why King and others fought so diligently for the nonpartisan Civil Rights Act of 1964 and the nonpartisan Voting Rights Act and Poll Tax Amendment of 1965. When Martin Luther King, Jr. lobbied for those legislative measures at the Lincoln Memorial, he reminded us that bigotry and discrimination cripple the bigot and the oppressor as much as they do the oppressed.. None can stand tall until injustice is banished from our land and from our laws.

King's legacy goes beyond civil and human rights. He symbolized a time when opportunity became a reality and stopped being just a dream. He lived and taught and fought and died for the principle that everyone deserves a chance. We, like Martin Luther King, Jr., cannot remain satisfied as long as persecution or hate and crimes exist. As King said shortly before his death, "Let us be dissatisfied until we will no longer have a high blood pressure of creeds and an anemia of deeds. Let us be dissatisfied until the tragic walls that separate the outer city of wealth and

comfort and the inner city of poverty and despair shall be caused by the battering rams of the forces of justice.”

King encouraged us also, to recognize the achievements of courage and victories. He would be satisfied that we can have the opportunity of high quality, discrimination-free education. He would be satisfied that we, today, view integration as an opportunity to participate in the beauty of diversity and the reality of inclusion. He would be satisfied that men, women, and children, however black, brown, red, yellow, or white, are judged by the content of their character and not the color of their skin. Martin Luther King, Jr. would also encourage us to be vigilant as we press forward.

I must confess, my friends, that the road ahead will not always be smooth. This attempt to expand the meaning of our Constitution’s preamble, “We the People,” can be bumpy. It requires great courage. There will be rocky places of frustration, meandering points of bewilderment. There will be setbacks. There will be despair, but there will always be hope. We cannot let the dream die.

Let this affirmation be our ringing cry. It will give us the courage to face the uncertainties of the future. It will give our tired feet new strength as we continue our stride toward freedom. Let us remember how many miles King marched, how many times he went to jail, how many times he drank from the well of bitterness. And yet he said, shortly before his death, “This is the hope for the future and with this faith we will be able to sing in some not too distant tomorrow with a cosmic past tense a past tense. We did overcome. We did overcome. Deep in our hearts we knew that we would overcome someday.”

It is my hope, my plea, my dream and my prayer that we, as citizens of Utah, whether in this very Capitol building, wherever we might be, will practice the doctrine of inclusion, that we will be fair and open and honest as we discuss the issues of our day. We can live and legislate so that Martin Luther King, Jr. did not live or die in vain. We can live together and work together to create a society where we are dedicated to the proposition that all of us are created equal and that “We the People” means all the people. It is inclusive. We as a State and a Nation, pay homage to Dr. King because his dream became the dream for a generation. We long for the day when all of God’s children of all backgrounds can join together and fulfill our destinies as citizens of Utah and the United States of America.

Thank you very much.

* * *

On motion of Senator Waddoups, and at 11:45, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:15 p.m., with President Mansell presiding.

COMMITTEE OF THE WHOLE

On motion of Senator Waddoups, Chief Justice Christine M. Durham spoke in Committee of the Whole. Senator Stephenson commented.

STATE OF THE JUDICIARY CHIEF JUSTICE CHRISTINE M. DURHAM

President Mansell, Members of the Senate, thank you for the invitation to speak to you today.

Although I have served as a judge for almost 25 years, I am new to the responsibilities of being the Chief Justice, and this is my first opportunity to speak to you in this setting. If you will indulge me for a moment, I would like to introduce myself. When we were still undergraduates in college, I married a man with the Wasatch mountains “in his bones,” as he likes to say, and we came to Salt Lake City after graduate school in 1973 to settle and raise our family. George, who is a pediatrician, concedes that 30 years is probably enough to eradicate the taint of my having been born in California. We have raised five children in this community, including one with special needs, all of whom are products of our public education system, and all of whom love the mountains. I have treasured the opportunity to serve on the Utah Supreme Court since 1982, after four years on the trial bench. I recently learned that one of my great-great grandfathers, Heber C. Kimball, was elected Chief Justice of the provisional Supreme Court contemplated by Utah’s pioneers in 1849, although my research has not disclosed whether he ever actually served. Nonetheless, that connection to the history of the court has made the opportunity to serve as Chief Justice even more meaningful for me.

I am completely passionate about my job, about the Utah court system, and about the administration of justice and the rule of law. I have enormous respect for our scheme of government, and for the people who serve in it. During the past few months I have been visiting each of the judicial districts in the state, to have lunch and conversation with many of you and the trial judges in your districts. From each meeting I have carried away a strong sense of the dedication and concern of the people who serve in our courts and in this body. While we do our work in very different spheres, we share a commitment to the welfare of the people of our state.

The single most significant challenge facing Utah’s court system, like all of state government, lies in maintaining the trust and confidence of the public we

serve. Like other government institutions, we in the courts can no longer take for granted the understanding of and respect for our constitutional role that was a “given” in past eras. It is no longer sufficient merely to do our work; increasingly we must find ways to make the courts more accessible, more responsive, and more understandable, while at the same time preserving the core values and tasks that are our constitutional responsibility. Furthermore, I believe, we have obligations to explain those responsibilities to the public, to support and enhance public and community education about the role of the judicial branch and the significance of the rule of law. That is one reason I have been so supportive of restoring the place of civic education in the public schools, and why the courts, together with the bar and the Utah Law-related Education Project, have worked with the State Board of Education and its staff in those efforts.

In addition to enhancing public understanding of what we do, we are aware that, along with all of state government, we must expand our effectiveness at a time when resources are limited; we feel constantly the pressure to find ways to do more with less.

Utah’s courts have responded to these challenges with creativity and hard work, and we are recognized nationally as one of the most innovative systems in the country. Our governance structure, in particular, serves us well in the management of the judicial branch. Utah’s Judicial Council, which consists of judges from each court level, is the policy-making body for the administration of the courts, and makes the decisions about our budget and our operational needs. It receives input from boards of judges at each court level, and then sets the priorities for the system that are included each year in our budget requests to you.

The Council’s job is hard in the best of times and very hard in hard times. In the recent past, like all parts of government, we have had to resolve competing interests in our system, preserve all of our essential functions, and try to find ways to increase our productivity and excellence in the context of significant losses in our budget. In ordinary times, I would not use this occasion to touch on budget-related issues; I would much rather spend it outlining for you our innovations and vision for the future. In light of the degree to which our state, like the rest of the nation, finds itself coping with reduced resources, however, I think it is important that I report briefly to you on the way in which the courts have been absorbing our share of the losses. We appreciate the discretion that you have allotted us to manage our resources, and we have tried to do so in a fashion that will minimize impacts on the public. The choices have been difficult. In the last 18 months, for example, from a workforce of 1200, we have lost 94 positions and curtailed numerous programs and services. We have been prudent, I believe, and have planned well, which has permitted us to accomplish most of the personnel cuts through attrition and hiring freezes (although we have had to terminate 17

employees for lack of funds), and by asking all of our people to work a little harder, with no expectation of pay increases, bonuses, or new resources. Thus far, as I said, we have worked hard to make reductions in areas that are least likely to affect the public. But some of the money has been saved in ways that are, ultimately, detrimental to public needs, such as the closure of courts in Murray and Roy. Although the facilities costs for those courts have been eliminated, so has the availability of court services close to the people in those communities. There are other examples: in the area of state supervision of seriously delinquent youth (designed to keep these young people from having to be committed to the Division of Youth Corrections), we had to eliminate almost twenty positions, resulting in decreased supervision and calls from concerned parents worried that their children were not being seen often enough; in Salt Lake, the juvenile courts had to eliminate their electronic monitoring program because we had to cut the staff person responsible for installing and monitoring the equipment; in Provo and Salt Lake, court funds used to pay for sex offender treatment for juveniles have had to be reduced. Perhaps most discouragingly, we have been able to serve far fewer children and parents in our juvenile drug courts than we - and you - had hoped.

Thus, we are experiencing loss of momentum in some of the very promising and innovative programs that the legislature has recognized and supported in the past. Of even greater concern to us, however, is the fact that we are now at the point where additional significant losses in our budget will inevitably require additional terminations of staff. In addition to the devastation to the people themselves, such losses will have great repercussions for our work. As many of you know, personnel costs comprise approximately 80% of our budget; judges, court clerks, bailiffs and court security, information and technology staff, legal research assistants, clerical staff, and juvenile probation officers are the courts. We are constantly developing ways to make our people more effective. Our On-Line Court Assistance program, for example, is now making forms and procedures available electronically to persons seeking to pursue their own claims in divorce and landlord/tenant cases. By the end of this week, the system will be able to let people prepare their own paperwork for obtaining protective orders in domestic violence cases. In fact, people will be able to have assistance in doing so at any abuse shelter with access to the internet. Our appellate courts are beginning to explore electronic filing options. Our mediation and divorce education programs are helping to reduce use of expensive trial resources.

At the same time, some of our most effective and innovative programs, like “problem-solving” courts in the areas of drug and alcohol addiction, mental health, and domestic violence, actually require more time and personnel investment from our judges and staff than doing things the traditional way. Emerging evidence suggests that in the long run they save money, not to mention

lives, in their impact on future crime and incarceration costs, but in the short run they need more attention than traditional adjudications and dispositions. I recently attended a drug court graduation ceremony in the courtroom of juvenile judge Kim Hornak. Two young fathers, whose parental rights to their small children had been jeopardized by neglect and criminal behavior related to drug abuse, were recognized for the completion of a full year of sobriety. As they spoke of the joy and the hope they had in returning to their families, they described their gratitude to the team of service providers who had been with them every step of the way. That team, put in place and closely supervised by Judge Hornak, included court personnel, juvenile probation officers, and counselors and social workers with treatment expertise working on contract with the courts. The dollar cost of their programs was a fraction of what the system would have to absorb if their parental rights had had to be permanently terminated, and their wives and children left adrift. And the human value of being given a second chance to be competent, healthy, parents is, of course, incalculable.

Utah, as you know, continues to grow and change, whatever the economy may be doing. Whereas in 1990, only 58,000 of our population consisted of people who were born in other countries, that figure grew to 158,000 by 2000. For us in the courts, that has implications for interpreter services and other access issues. Even more urgent, as we seek to enhance the trust and confidence of the public, is the degree to which we are perceived as being open, even-handed, and fair. Without public perception that the courts are fair, I don't believe the courts can long exist; fairness is at the heart of our constitutional role. And yet, in a report issued last week, the Commission on Racial & Ethnic Fairness in the Criminal and Juvenile Justice system revealed that the larger justice system, which includes the courts but also law enforcement and corrections, has still ground to cover in making both fairness and the perception of fairness the hallmark of Utah's justice system.

In a future perspective, another growing pressure on our system is the need for more comprehensive, better-funded, defense resources for indigent persons in criminal, especially capital cases, throughout the state. In an adversary system of justice, the courts cannot do our work without the help of well-trained and responsible counsel. Likewise, we urgently need the help of readily available, competent research assistance to deal with the ever-increasing complexity of our work. I know how pressed for time, information, and instant expertise you are in your capacity as lawmakers. Trial judges, also, are desperate for research support in their work. At present, statewide, there are only 15 law clerks available to 95 trial judges for legal research and consultation (compared, for example, to the 2-3 law clerks assigned to each judge nationwide in the federal system). That circumstance doesn't just limit the capacity of our trial judges to do their best work: it also has a cumulative effect, I believe, in burdening the appellate system

with occasional decisions reached in the absence of adequate time and resources in cases involving complex legal questions. This is a pressing problem we will continue to address. It is yet another example of the fact that people are our greatest resource and our greatest need.

May I close with some comments about the relationship between the judicial and legislative branches. President Mansell and Speaker Stephens have been generous and gracious with their time and willingness to speak with me and others about administrative matters and problems. Legislative leadership, likewise, has been welcoming to me in my new post, and I greatly appreciate opportunities to talk and share views. The many conversations I have had with you in your districts have been invaluable, and your staff is wonderful to work with.

There are natural tensions between our branches - they were created thoughtfully and deliberately by the framers of our constitutions. Next month will mark the 200th anniversary of John Marshall's landmark opinion in *Marbury v. Madison*, the case that established the constitutional principle of judicial review in the federal system. Ironically, many do not realize that the principle of judicial review was in place, and in fact specifically acknowledged in constitutional language, in many of the original states years before *Marbury*. Historically, then, this constitutional balance between legislatures and courts has been part of the fabric of government from the very beginning of this nation. It has always created tension, on the federal as well as the state level, between the legislatures, which have plenary power to make policy choices and law within the framework of the federal and state constitutions, and the courts, whose duty it is to interpret the meaning of constitutional language and resolve claims that challenge the constitutionality of the laws. I want to emphasize that when the courts do that assessment, they must be, and are in my experience, motivated only by honest convictions, informed by their study of constitutional law, about the content and meaning of constitutional language, and not by policy preferences or disagreements with legislative choices. Because legislators operate in a system that is by definition political and oriented to majority will and the art of compromise, there is sometimes a tendency to assume that judges are similarly motivated by political, personal or partisan preferences. We in this state's judiciary do not, and cannot, function that way; it would be a violation of our oaths of office, our professional values, and the law we serve. It is precisely because of our state's commitment to a neutral, impartial judiciary that we have evolved over the years the non-partisan, merit-based system of judicial selection, evaluation and retention that we have. There are other states where judges must raise campaign funds, accept donations from entities with major interests litigated in their courts, make promises about actions they will take on the bench, worry about the effect of each decision on their popularity and vote-getting capacity, and even

seek support from partisan political sources. There have been appalling instances of scandal and corruption in some of those states, but more significant in my view, has been the tendency to degrade the courts from places for objective, fair decision-making to entities perceived as biased and purely political. Recent surveys show that a majority of people in states with elective systems have at least the perception that the courts are less neutral and less objective because of election-related practices such as the acceptance of campaign funds from lawyers, law firms, and business entities. While we might like to think that courts either are or are not fair as a matter of objective reality, I believe we have both to be fair and to be perceived as fair to perform our constitutional role.

By contrast with systems in many other states, Utah has consistently moved in directions designed to avoid politicizing anything about the judiciary, to insulate the entire process of selection, retention, evaluation, and discipline of our judges from forces that could impinge on their neutrality in decision-making. I hope that we will always value that need for neutrality - it is the essence of fairness.

Not long ago, many of you joined forces with colleagues from the executive branch and judges to participate in the Dialogue for Freedom project sponsored by the Utah State Bar. We went into classrooms all over the state to engage students with the first principles of our government. I like to think that because of the divergent constitutional assignments given to the three branches of Utah's government, they are themselves constantly engaged in a dialogue - open, lively, sometimes fierce - about life in a free society. I hope that dialogue will increasingly be mutually respectful and marked by civility, even when it is most fierce. We cannot expect to earn the trust and confidence of the people if we do less.

I honor and respect your service to our state, and on behalf of the judicial branch express our best wishes to you in the session ahead.

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On motion of Senator Waddoups, the Committee of the Whole was dissolved.

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On motion of Senator Hillyard, under suspension of the rules, the 24-hour rule was waived concerning the bills on the Second Reading Calendar.

SECOND READING CALENDAR

S.J.R. 1, JOINT RESOLUTION - RULES REVISIONS RENAMING AN APPROPRIATIONS SUBCOMMITTEE, was read the second time. Senator

Evans explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	Gladwell	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Steele	Stephenson	Thomas	Valentine
Waddoups	Walker	Mansell	

Absent or not voting were: Senators

J. Evans	Wright
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S.J.R. 2, RESOLUTION REAPPOINTING GENERAL COUNSEL, was read the second time. Senator Waddoups explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Blackham	Bramble
Davis	Dmitrich	Eastman	B. Evans
Gladwell	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Steele	Thomas
Valentine	Waddoups	Walker	Mansell

Absent or not voting were: Senators

Bell	Buttars	J. Evans	Stephenson
Wright			

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S.R. 1, SENATE RULES RESOLUTION - STANDING COMMITTEE REVISIONS, was read the second time. Senator Bev Evans explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Blackham	Bramble
Davis	Dmitrich	Eastman	B. Evans
Gladwell	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Steele	Stephenson
Thomas	Valentine	Waddoups	Walker
Mansell			

Absent or not voting were: Senators

Bell	Buttars	J. Evans	Wright
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S.B. 4, CLEAN SPECIAL FUEL TAX CERTIFICATE - EXEMPTION, was read the second time. Senator Steele explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	Gladwell	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Steele	Thomas	Valentine	Waddoups
Walker	Mansell		

Voting in the negative was: Senator

Stephenson

Absent or not voting were: Senators

J. Evans	Wright
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S.B. 5, RETIREMENT AND INDEPENDENT ENTITIES COMMITTEE AMENDMENTS, was read the second time. Senator Evans explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman

B. Evans	J. Evans	Gladwell	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Steele	Stephenson	Thomas	Valentine
Waddoups	Walker	Mansell	

Absent or not voting were: Senators

Blackham	Wright
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S.B. 9, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, was read the second time. Senator Davis explained the bill. Senator B. Evans commented. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hale
Hatch	Hellewell	Hillyard	Jenkins
Julander	Knudson	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Mansell		

Absent or not voting were: Senators

Blackham	Hickman	Wright
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S.B. 13, DUI PLEA RESTRICTIONS, was read the second time. Senator Buttars explained the bill. Senator Walker commented. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hale
Hatch	Hellewell	Hillyard	Jenkins
Julander	Knudson	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Mansell		

Absent or not voting were: Senators

Blackham Hickman Wright

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S.B. 15, WORKFORCE SERVICES AMENDMENTS, was read the second time. Senator Jenkins explained the bill. Under suspension of the rules, the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hale
Hatch	Hellewell	Jenkins	Julander
Knudson	Mayne	Steele	Stephenson
Thomas	Valentine	Waddoups	Walker
Mansell			

Absent or not voting were: Senators

Blackham Hickman Hillyard Wright

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S.B. 17, SALES AND USE TAX - EXEMPTION FOR SEMICONDUCTOR FABRICATING OR PROCESSING MATERIALS, was read the second time. Senator Bramble explained the bill. Senators Mayne, Davis, Mansell, Steele, and Stephenson commented.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 20, 2003

The House passed **H.J.R. 4**, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Representative M. Newbold, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.J.R. 4** was read the first time and referred to the Rules Committee.

On motion of Senator Waddoups and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 21, 2003.

PAGE INDEX (DAY 1-)

H.J.R. 4 -- RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES (<i>M. Newbold</i>)	
Read for the first time and referred to the Rules Committee	49
S.B. 4 -- CLEAN SPECIAL FUEL TAX CERTIFICATE - EXEMPTION (<i>D. Steele</i>)	
Read for the first time and referred to the Rules Committee	12
Placed on calendar	36
Read the second time	47
S.B. 5 -- RETIREMENT AND INDEPENDENT ENTITIES COMMITTEE AMENDMENTS (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	12
Placed on calendar	36
Read the second time	47
S.B. 6 -- RETAILER REQUIREMENTS IN PRINTING FINANCIAL TRANSACTION CARD RECEIPT (<i>C. Walker</i>)	
Read for the first time and referred to the Rules Committee	12
S.B. 7 -- AUTOMOBILE HOMICIDE AMENDMENTS (<i>C. Walker</i>)	
Read for the first time and referred to the Rules Committee	13
S.B. 8 -- SENTENCING IN CAPITAL CASES AMENDMENTS (<i>D. Gladwell</i>)	
Read for the first time and referred to the Rules Committee	13
S.B. 9 -- COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS (<i>G. Davis</i>)	
Read for the first time and referred to the Rules Committee	13
Placed on calendar	36
Read the second time	48
S.B. 10 -- PRENEED FUNERAL ARRANGEMENT AMENDMENTS (<i>P. Arent</i>)	
Read for the first time and referred to the Rules Committee	14
Assigned to standing committee	35
S.B. 11 -- CHILD CARE AMENDMENTS (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	14
Assigned to standing committee	36
S.B. 12 -- INDUSTRIAL ASSISTANCE FUND AMENDMENTS (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	14
Assigned to standing committee	36
S.B. 13 -- DUI PLEA RESTRICTIONS (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	15
S.B. 13 -- DUI PLEA RESTRICTIONS (<i>D. C. Butters</i>)	
Placed on calendar	36
Read the second time	48
S.B. 14 -- GOVERNOR'S OFFICE OF PLANNING AND BUDGET RECODIFICATION AND REVISIONS (<i>R. Allen</i>)	
Read for the first time and referred to the Rules Committee	15
S.B. 15 -- WORKFORCE SERVICES AMENDMENTS (<i>S. Jenkins</i>)	
Read for the first time and referred to the Rules Committee	15
Placed on calendar	36
Read the second time	49
S.B. 16 -- MASTER STATE HIGHWAYS AMENDMENTS (<i>D. Steele</i>)	
Read for the first time and referred to the Rules Committee	16
S.B. 17 -- SALES AND USE TAX - EXEMPTION FOR SEMICONDUCTOR FABRICATING OR PROCESSING MATERIALS (<i>C. Bramble</i>)	
Read for the first time and referred to the Rules Committee	16
Placed on calendar	36
Read the second time	49
S.B. 18 -- LIEUTENANT GOVERNOR CERTIFICATION OF SPECIAL DISTRICT AND LOCAL DISTRICT ANNEXATIONS, WITHDRAWALS, AND DISSOLUTIONS (<i>D. Gladwell</i>)	
Read for the first time and referred to the Rules Committee	16
Placed on calendar	37
S.B. 19 -- VEHICLE HISTORY INFORMATION (<i>D. Eastman</i>)	
Read for the first time and referred to the Rules Committee	16
Assigned to standing committee	36
S.B. 20 -- FACILITATION OF E-GOVERNMENT (<i>D. Steele</i>)	
Read for the first time and referred to the Rules Committee	17
S.B. 21 -- AMENDMENTS TO THE INTERLOCAL COOPERATION ACT (<i>L. Blackham</i>)	
Read for the first time and referred to the Rules Committee	17
Assigned to standing committee	36
S.B. 22 -- TELECOMMUNICATIONS RELATED TAXES, FEES, AND CHARGES (<i>C. Bramble</i>)	
Read for the first time and referred to the Rules Committee	17
S.B. 23 -- STATE AND LOCAL TAXES, FEES, AND CHARGES RELATED TO TELECOMMUNICATIONS (<i>C. Bramble</i>)	
Read for the first time and referred to the Rules Committee	18
Assigned to standing committee	36
S.B. 24 -- LOCAL HUMAN SERVICES AUTHORITIES AMENDMENTS (<i>S. Jenkins</i>)	
Read for the first time and referred to the Rules Committee	18
Placed on calendar	37

S.B. 25 -- COMMITMENT AND CUSTODY OF ADULTS AND MINORS AMENDMENTS (<i>S. Jenkins</i>)	
Read for the first time and referred to the Rules Committee	19
Placed on calendar	37
S.B. 26 -- SUNSET ACT REAUTHORIZATIONS (<i>P. Arent</i>)	
Read for the first time and referred to the Rules Committee	19
S.B. 27 -- INVOLUNTARY COMMITMENT AMENDMENTS (<i>L. Blackham</i>)	
Read for the first time and referred to the Rules Committee	19
S.B. 28 -- INITIATIVE AMENDMENTS (<i>J. Hickman</i>)	
Read for the first time and referred to the Rules Committee	20
S.B. 32 -- DRIVER EDUCATION COURSES (<i>C. Walker</i>)	
Read for the first time and referred to the Rules Committee	20
S.B. 33 -- FEES FOR SHERIFF (<i>M. Dmitrich</i>)	
Read for the first time and referred to the Rules Committee	21
Assigned to standing committee	35
S.B. 34 -- TUITION TAX CREDITS (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	21
S.B. 35 -- REDEVELOPMENT OF SUPERFUND SITES (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	22
S.B. 35 -- REDEVELOPMENT OF SUPERFUND SITES (<i>D. C. Butters</i>)	
Assigned to standing committee	36
S.B. 36 -- MINERAL LEASE FUND AMENDMENTS (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	22
Assigned to standing committee	36
S.B. 37 -- TASK FORCE STUDY OF IMPACT OF GRAVEL PITS (<i>P. Knudson</i>)	
Read for the first time and referred to the Rules Committee	22
S.B. 38 -- CHILD ACCESS TO FIREARM PREVENTION AMENDMENTS (<i>P. Julander</i>)	
Read for the first time and referred to the Rules Committee	23
S.B. 39 -- AMENDMENTS TO THE UTAH ANTIDISCRIMINATION ACT (<i>E. Mayne</i>)	
Read for the first time and referred to the Rules Committee	23
S.B. 40 -- PAY PLAN - SALARY SURVEY AMENDMENTS (<i>M. Dmitrich</i>)	
Read for the first time and referred to the Rules Committee	23
Assigned to standing committee	35
S.B. 41 -- CLANDESTINE LAB RACKETEERING AMENDMENT (<i>P. Arent</i>)	
Read for the first time and referred to the Rules Committee	23
S.B. 42 -- FRAUDULENT USE OF CREDIT CARD NUMBER (<i>C. Walker</i>)	
Read for the first time and referred to the Rules Committee	24
S.B. 43 -- PROVIDING INFORMATION RELATING TO TAX CREDITS AND TAX FILING DUE DATES (<i>D. Steele</i>)	
Read for the first time and referred to the Rules Committee	24
S.B. 44 -- TORT REFORM AMENDMENTS (<i>L. Blackham</i>)	
Read for the first time and referred to the Rules Committee	24
S.B. 45 -- LOBBYIST REPORTING REQUIREMENTS (<i>P. Arent</i>)	
Read for the first time and referred to the Rules Committee	25
S.B. 46 -- RESIDENTIAL PROPERTY TAX EXEMPTIONS (<i>E. Mayne</i>)	
Read for the first time and referred to the Rules Committee	25
S.B. 47 -- LABOR COMMISSION - APPEALS BOARD (<i>J. Valentine</i>)	
Read for the first time and referred to the Rules Committee	25
S.B. 78 -- REPEAL OF TRADING STAMPS REGULATION (<i>S. Jenkins</i>)	
Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	35
S.B. 79 -- DISABLED PARKING FINE (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	26
S.B. 80 -- ADVERSE BENEFIT DETERMINATION AMENDMENTS (<i>P. Knudson</i>)	
Read for the first time and referred to the Rules Committee	26
Assigned to standing committee	35
S.B. 81 -- PUBLIC SAFETY RETIREMENT AMENDMENTS (<i>M. Dmitrich</i>)	
Read for the first time and referred to the Rules Committee	26
S.B. 82 -- AUTHORIZED OVERSPENDING LIMIT IN FEDERAL MEDICAID BUDGET (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	26
S.B. 83 -- OCCUPATIONAL AND PROFESSIONAL LICENSING MODIFICATIONS (<i>L. Hilyard</i>)	
Read for the first time and referred to the Rules Committee	27
Assigned to standing committee	35
S.B. 84 -- REAL PROPERTY VOLUNTARY ENVIRONMENTAL RESTRICTIVE COVENANTS (<i>B. Wright</i>)	
Read for the first time and referred to the Rules Committee	27

S.B. 85 -- UNDERGROUND STORAGE TANK AMENDMENT (<i>B. Wright</i>)	
Read for the first time and referred to the Rules Committee	28
S.B. 86 -- PROHIBITION OF AUTOMATIC RENEWAL OF SERVICE CONTRACTS (<i>M. Waddoups</i>)	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	35
S.B. 87 -- LIBRARY AMENDMENTS (<i>M. Waddoups</i>)	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	35
S.B. 88 -- SECURITY PERSONNEL LICENSING ACT AMENDMENTS (<i>D. Eastman</i>)	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	35
S.B. 89 -- MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	29
S.B. 89 -- MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS (<i>D. C. Butters</i>)	
Assigned to standing committee	35
S.B. 90 -- PRESCRIPTIVE PRACTICE PEER COMMITTEE REPEALER (<i>P. Julander</i>)	
Read for the first time and referred to the Rules Committee	29
S.B. 91 -- FUNERAL SERVICES AMENDMENTS (<i>D. Gladwell</i>)	
Read for the first time and referred to the Rules Committee	29
Assigned to standing committee	35
S.B. 92 -- LAND SURVEYOR AMENDMENTS (<i>H. Stephenson</i>)	
Read for the first time and referred to the Rules Committee	30
Assigned to standing committee	35
S.B. 93 -- REAPPOINTMENT OF COUNTY JUSTICE COURT JUDGES (<i>T. Hatch</i>)	
Read for the first time and referred to the Rules Committee	30
S.B. 94 -- CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS (<i>J. Valentine</i>)	
Read for the first time and referred to the Rules Committee	30
Assigned to standing committee	35
S.B. 95 -- STATE EMERGENCY MEDICAL SERVICES AMENDMENTS (<i>J. Valentine</i>)	
Read for the first time and referred to the Rules Committee	30
S.B. 96 -- DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT AMENDMENTS (<i>P. Julander</i>)	
Read for the first time and referred to the Rules Committee	31
S.B. 97 -- COUNTY ANNEXATION AMENDMENTS (<i>C. Walker</i>)	
Read for the first time and referred to the Rules Committee	31
S.B. 98 -- TAXATION OF MEDICALLY IMPLANTED DEVICES AND PROSTHETICS (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	31
S.B. 99 -- SEAT BELT ENFORCEMENT (<i>K. Hale</i>)	
Read for the first time and referred to the Rules Committee	31
S.B. 100 -- INDIAN AFFAIRS AMENDMENTS (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	32
S.B. 101 -- PROCUREMENT CODE REQUIREMENTS OF HEALTH CARE BENEFITS (<i>E. Mayne</i>)	
Read for the first time and referred to the Rules Committee	32
S.B. 102 -- PROPERTY TAX APPEAL PROVISIONS (<i>C. Bramble</i>)	
Read for the first time and referred to the Rules Committee	32
S.B. 103 -- CONCEALED WEAPON PERMIT HOLDER AMENDMENTS (<i>C. Bramble</i>)	
Read for the first time and referred to the Rules Committee	32
S.B. 104 -- DISCLOSURE OF VEHICLE INFORMATION FOR PRODUCT RECALL (<i>D. Eastman</i>)	
Read for the first time and referred to the Rules Committee	33
S.B. 105 -- PLEDGE OF ALLEGIANCE IN PUBLIC SCHOOLS (<i>D. Butters</i>)	
Read for the first time and referred to the Rules Committee	33
S.C.R. 1 -- RESOLUTION URGING LIGHT POLLUTION PREVENTION (<i>R. Allen</i>)	
Read for the first time and referred to the Rules Committee	33
S.J.R. 1 -- JOINT RESOLUTION - RULES REVISIONS RENAMING AN APPROPRIATIONS SUBCOMMITTEE (<i>B. Evans</i>)	
Read for the first time and referred to the Rules Committee	33
Placed on calendar	36
Read the second time	45
S.J.R. 2 -- RESOLUTION REAPPOINTING GENERAL COUNSEL (<i>M. Waddoups</i>)	
Read for the first time and referred to the Rules Committee	34
Placed on calendar	36
Read the second time	46
S.J.R. 3 -- RESOLUTION PROVIDING FOR CONTESTED JUDICIAL ELECTIONS (<i>D. Thomas</i>)	
Read for the first time and referred to the Rules Committee	34
S.J.R. 4 -- RESOLUTION URGING THAT A PUBLIC HEARING BE HELD ON THE STRUCTURE OF THE PUBLICSERVICE COMMISSION (<i>E. Mayne</i>)	
Read for the first time and referred to the Rules Committee	34

S.R. 1 -- SENATE RULES RESOLUTION - STANDING COMMITTEE REVISIONS (*B. Evans*)

Read for the first time and referred to the Rules Committee	34
Placed on calendar	36
Read the second time	46

S.R. 2 -- SENATE RULES RESOLUTION - PLEDGE OF ALLEGIANCE (*D. Gladswell*)

Read for the first time and referred to the Rules Committee	35
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